
Written Public Agency Responses to Notice of Preparation/Intent

Appendix N



U.S. Department
of Transportation
**Federal Railroad
Administration**

Appendix N
Written Public Agency Responses to Notice of Preparation/Intent

Federal

U.S. Army Corps of Engineers
Bureau of Land Management
U.S. Department of Homeland Security
U.S. Environmental Protection Agency, Region 9
U.S. Fish and Wildlife Service, Region 8
Marine Corps Air Station Miramar

State

California Department of Fish and Game, South Coast Region
California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, District 1
California Department of Transportation, District 7
California Department of Transportation, District 11 (on behalf of Districts 7, 8, and 11)
California Department of Water Resources
California State Lands Commission
California Transportation Commission
CA Senator Christine Kehoe, 39th District
California Coastal Commission, San Diego Coast District
State Parks, Department of Parks and Recreation
State of California Public Utilities Commission
State Water Resources Control Board
Regional Water Quality Control Board, Region 8
Regional Water Quality Control Board, Region 9

Regional

San Gabriel Valley Council of Governments
Southern California Association of Governments (SCAG)

San Bernardino Associated Governments (SANBAG)

Western Municipal Water District

Riverside County Flood Control and Water Conservation District

San Diego Association of Governments (SANDAG)

San Diego County Regional Airport Authority

San Diego Air Pollution Control District

Los Angeles County Local Agencies

City of Alhambra

City of Claremont

City of Covina

City of El Monte

City of Industry

City of La Verne

City of Pomona

City of West Covina

County of Los Angeles, Department of Parks and Recreation

County of Los Angeles, Department of Public Works

Los Angeles County Metropolitan Transportation Authority

Los Angeles County Department of Regional Planning

Los Angeles World Airports

San Gabriel Valley Council Governments

San Bernardino County Local Agencies

San Bernardino International Airport Authority

City of Ontario

Loma Linda University and Medical Center

California State University, San Bernardino

City of Highland

City of San Bernardino

City of Fontana

City of Loma Linda

City of Redlands

Riverside Local Agencies

City of Corona, Public Works Department

City of Moreno Valley

City of Riverside, Community Development Department

Riverside County Transportation Commission

San Diego Local Agencies

County of San Diego

City of San Diego, City Planning and Community Investment Department

City of San Diego, Planning and Use Department

City of San Diego, Council members Sherri Lightner (First District) and Donna Frye (Sixth District)

San Diego Unified School District Trustee, District A

Mira Mesa Community Planning Group

Old Town San Diego Community Planning Group

Rainbow Community Planning Group

Rancho Bernardo Community Planning Board

Sabre Springs Planning Group

University Community Planning Group



DEPARTMENT OF THE ARMY

P.O. Box 532711

Los Angeles, CA 90017-3401

December 28, 2009

REPLY TO

ATTENTION OF:

Regulatory Division

David Valenstein
Federal Rail Administration
1120 Vermont Avenue
MS-20
Washington, District of Columbia 20590

Dear Mr. Valenstein:

The U.S. Army Corps of Engineers (Corps) has reviewed the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Los Angeles to San Diego segment of the California High-Speed Train Project. We appreciate the opportunity to provide comments.

Several alternatives to be considered for the California High-Speed Train Project would require approval by the Corps. Corps approval would be required for (1) any proposed modifications to an existing Corps project, (2) the use of land in which the Corps holds a property interest, and (3) discharges of dredged or fill material into jurisdictional waters of the United States. These approvals would be considered major Federal actions for which we, as a Federal agency, have independent legal responsibility to comply with the National Environmental Policy Act (NEPA).

The Corps' responsibilities to maintain the function of its flood risk management features, including the Los Angeles County Drainage Area, which includes Whittier Narrows Dam and many other channels and dams, are of paramount importance. To that end, the Corps is required to comply with the terms of 33 U.S.C. § 408, a Federal law which requires that before allowing any alteration, occupation, or use of a flood control work, the Corps must determine that such use will not be injurious to the public interest and will not impair the usefulness of such work. This determination, which may only be made by the Chief of Engineers or his delegee, requires detailed evaluation, as described in Corps guidance we have attached to this letter. Please be advised that impacts to our flood control works could result in substantial delay to the project or a denial from the Corps. Corps approval under Section 408 is required for modifications to all existing Corps projects, regardless of whether they are currently operated by the Corps or by a non-Federal sponsor such as a city, county, or flood control district.

In order to ensure that the District Commander will be prepared to issue a timely recommendation to the Chief of Engineers or his delegee regarding the preferred alternative identified by the FRA in the EIR/EIS, Corps staff need to be involved in the review, screening, and analysis of alternatives that would propose modifications to any Corps project. Because the Corps has jurisdiction by law over approval of any proposed changes to Corps projects, it is imperative that your agency coordinate with our staff that has special expertise regarding the potential impacts on flood risk management systems of our Corps projects. Please coordinate with Phillip Serpa, the lead Project Manager for Section 408 issues, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil. Please submit any requests for Section 408 review with the required supporting documentation to our District Commander at the address above.

The Corps must also determine that the project will not affect our property interest or our ability to manage the area in question. A consent to use or alter our easement area may only be granted after the Section 408 analysis is completed.

The third Corps approval that may be required for the project is a Clean Water Act (CWA) Section 404 permit for the discharge of dredged or fill material into waters of the United States. The final decision on a Section 408 request will precede the final decision on a CWA Section 404 permit.

I understand that the California High-Speed Train Project is a substantial effort, and I thank you for the opportunity to become involved at this time. Please note, however, that if, as expected, the required Section 408 review and analysis exceeds our normal and ordinary capabilities under our appropriations, we may require additional funds to handle necessary actions under the environmental review process. We are in the process of discussing the potential authorities to accept funds for that purpose.

Please coordinate with Phillip Serpa, the lead Project Manager for Section 408 issues, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil. If assembling supporting documentation or specific information regarding our projects is required, you may also contact:

- Whittier Narrows Dam Safety Study – Se-Yao Hsu, Project Manager, at 213-452-4016 or Se-Yao.Hsu@usace.army.mil, or Phillip Serpa, Basin Manager, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil
- Prado Dam – Katie Parks, Basin Manager, at 213-452- 3399 or Katie.B.Parks@usace.army.mil
- San Luis Rey River Flood Control Project, White Water River Basin Project, and Murrieta Creek Flood Control, Environmental Restoration and Recreation Project – David Van Dorpe, Project Manager, at 213-452-4008 or David.M.VanDorpe@usace.army.mil
- Norco Bluffs, Santa Ana River Project – Greg Boghossian, 213-452- 3982 or Gregory.H.Boghossian@usace.army.mil

During the Programmatic EIS (Tier 1) phase of the California High-Speed Train Project, the Corps concurred on the alternative 'most likely to yield' the least environmentally damaging practicable alternative (LEDPA). The decision was only commensurate with the level and breadth of the environmental data made available to the Corps at that time and was only based on the coordination of CWA Section 404 issues. In addition, such concurrence does not obviate the need for FRA to fully comply with all requirements of the CWA 404(b)(1) Guidelines (40 C.F.R. Part 230) during the preparation of any subsequent project level EIS.

While potential alternatives are evaluated at both the Tier 1 and Project-level (Tier 2) NEPA stages, it is not usually until the last stage, or project-specific stage (which includes 404 permitting) that substantive determinations regarding the adequacy of alternatives development and analysis occur. The CWA 404(b)(1) Guidelines specify that a CWA section 404 permit can only be issued for a discharge of dredged or fill material to waters of the United States if the discharge is determined to be the LEDPA. For non-water dependent projects that require filling of wetlands or other special aquatic sites, like this transportation project, the CWA 404(b)(1) Guidelines presume that there are upland alternatives available and that these upland sites are less environmentally damaging. The burden to prove otherwise lies with the project sponsor or applicant. In particular, the "No (Federal) Action" alternative, and alternatives that avoid or minimize fill in waters of the United States must be carefully analyzed. Impacts resulting from the build alternatives must be compared to the No (Federal) Action alternative to understand the overall intensity and magnitude of impacts.

Finally, the Corps suggests that the California High-Speed Train Project be constructed within or adjacent to existing transportation corridors where there are lower occurrences of potential sensitive biological and aquatic resources. The Corps suggests that the State Route 56 and State Route 8 corridor also be analyzed as alternative routes.

If you have any questions regarding CWA Section 404 issues, please contact Veronica Chan, Regulatory Project Manager, at 213-452-3292.

Sincerely,



for Mark D. Cohen
Deputy Division Chief
Regulatory Division

Enclosures

CECW-PB

SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

DISTRIBUTION:

Commander, Great Lakes and Ohio River Division (CELRD)

Commander, Mississippi Valley Division (CEMVD)

Commander, North Atlantic Division (CENAD)

Commander, Northwestern Division (CENWD)

Commander, Pacific Ocean Division (CEPOD)

Commander, South Atlantic Division (CESAD)

Commander, South Pacific Division (CESPD)

Commander, Southwestern Division (CESWD)



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET NW
WASHINGTON, D.C. 20314-1000

CECW-PB

OCT 23 2006

MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS

SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

1. REFERENCES:

- a. ER 1165-2-119, dated 20 September 1982, Modifications to Completed Projects
- b. 33 CFR 208.10, Local flood protection works; maintenance and operation of structures and facilities
- c. 33 USC 408, Taking possession of, use of, or injury to harbor and river improvements
- d. 33 CFR 320.4, General policies for evaluating permit applications
- e. Section 404 of the Clean Water Act
- f. Section 10 of the River and Harbors Act of 1899

2. PURPOSE. Recent events have demonstrated the need to provide clarification and additional guidance on the policy and procedures for dealing with proposals to modify or alter completed Corps of Engineers projects that are either locally or federally maintained. Often requests for modifications to Corps projects come up in the context of Section 404 permitting actions or for modifications to existing Corps projects for the purposes of O&M. This memorandum addresses the use of the appropriate authority and the proper level of approval for such proposals.

3. BACKGROUND.

a. ER 1165-2-119 provides policy and guidance on the modification of completed Corps of Engineers projects, and describes the specific circumstances under which modifications can be approved and accomplished. In general, proposed significant modification of a completed project, involving new Federal construction or real estate acquisition, and any proposed modification that would make the project serve new purposes, or increase the scope of services to authorized purposes beyond that intended at the time of construction, or to extend services to new beneficiaries (areas), requires authorization by Congress. There may be instances where reporting officers find that proposed significant changes to a completed project may be desirable, in which case investigations may be undertaken to document the need for and the feasibility of such project modifications. To the extent practicable, such changes should be accomplished under existing authorities. However, the circumstances under which such modifications can be approved and made are limited, as discussed in the ER, and are briefly summarized below.

b. For projects constructed, operated and maintained by the Corps, the Corps may, as part of its operations and maintenance efforts, make reasonable changes and additions needed to

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SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

properly operate the project or minimize maintenance. In addition, multiple purpose projects operated and maintained by the Corps may be modified within existing authorities for dam safety assurance, changes in water control plans, addition of water supply, changes to meet water quality needs, and recreation and fish and wildlife enhancement, as discussed in the ER. The Chief of Engineers also has limited discretion to modify navigation projects. For Corps-constructed projects operated and maintained by local interests, any proposed Federal work at these projects usually requires congressional authorization, with the exception of work required to correct a design deficiency.

c. Guidance on the responsibilities for the operation and maintenance of local protection projects is found in 33 CFR 208.10. This regulation describes local sponsors' responsibilities for operating and maintaining the structural soundness and functionality of the project in order to assure that the project meets its authorized purposes. Specifically, 33 CFR 208.10 a (5) requires that "no improvement shall be passed over, under, or through the walls, levees, improved channels or floodways, nor shall any excavation or construction be permitted within the limits of the project right-of-way, nor shall any change be made in any feature of the works without prior determination by the District Engineer" that such changes will not adversely affect the functioning of the protective facilities. The types of changes that can be considered and approved by a District Engineer under 33 CFR 208.10 are relatively minor, low impact modifications, such as pipes or pipelines proposed to pass over or through a Federal work, or a road or similar type of infrastructure improvement proposed to pass over a Federal levee. Such minor proposed modifications are considered part of a District Engineer's responsibilities related to normal O&M of such facilities. Any proposed modification of a Federal work, such as a levee or channel, which would involve significant changes to the authorized project's scope, project purpose, or functioning, cannot be approved by the District Engineer, but instead must be forwarded through the Division Commander for the approval of the Chief of Engineers, as explained hereinafter. That is, any proposed change to a Federal work exceeding the level of ordinary District O&M responsibilities for a project must be sent through the Division Commander to the Chief of Engineers for approval, as discussed in the following paragraphs.

d. Any proposed modification to an existing Corps projects (either federally or locally maintained) that go beyond those modifications required for normal O&M require approval under 33 USC 408. 33 USC 408 states that there shall be no temporary or permanent alteration, occupation or use of any public works including but not limited to levees, sea walls, bulkheads, jetties and dikes for any purpose without the permission of the Secretary of the Army. Under the terms of 33 USC 408, any proposed modification requires a determination by the Secretary that such proposed alteration or permanent occupation or use of a Federal project is not injurious to the public interest and will not impair the usefulness of such work. The authority to make this determination and to approve modifications to Federal works under 33 USC 408 has been delegated to the Chief of Engineers.

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SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

4. POLICY.

Any significant alteration or modification to either a locally or federally maintained Corps of Engineers project must be approved by the Chief of Engineers under 33 USC 408 unless covered by ER 1165-2-119. Modifications to a Corps projects beyond those necessary to properly operate the project or to minimize maintenance costs as well as any significant alteration or modification requested by any non-Federal interest for their own benefit also requires the Chief's approval under 33 USC 408.

5. PROCEDURES.

a. The following information will be provided with any request for the approval of significant modifications or alterations to a locally or federally maintained Corps project requiring the Chief of Engineers approval under 33 USC 408.

1. A written request by the non-Federal interests for approval of the project modification/alteration.
2. A physical and functional description of the existing project
3. A detailed description of the proposed modification
4. The purpose/need for the modification
5. A description of any related, ongoing Corps studies/efforts in the watershed
6. A Public Interest Determination
7. Appropriate NEPA documentation
8. Any Administrative Record
9. A discussion of indirect effects
10. A discussion of E.O. 11988 Considerations
11. Technical Analysis
 - Technical adequacy of the design
 - Changes in water surface profiles and flow distribution
 - Assessment of anticipated local and system-wide resultant impacts, i.e., impacts on system integrity
 - Upstream and downstream impacts of the proposed alterations, including potential impacts to existing floodplain management and water control management plans of Federal projects within the basin
 - A discussion of residual risk

b. If there is an associated Section 404/10 permit action, the required public interest and technical evaluations under 33 USC 408 can be done concurrently with that action. Upon completion of the public interest determination and of the technical analyses regarding the impact of the proposed modification on the usefulness of the project, the District Engineer will make a recommendation (with supporting documentation) through the Division Commander to

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SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

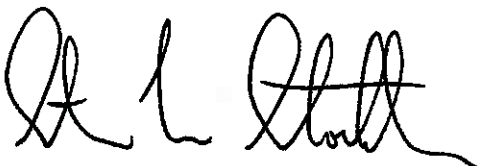
the Chief of Engineers (Attn: Appropriate RIT) for his consideration and approval under 33 USC 408. The District Engineer will make the final Section 404/10 permit decisions following the Chief of Engineers decision under 33 USC 408. A minimum of 30 days must be allowed for HQUSACE review.

c. For locally operated and maintained Corps projects, the operations and maintenance for any approved project modifications or alterations will be the responsibility of the non-Federal sponsor and the Project Cooperation Agreement or other appropriate document must be updated to address non-Federal sponsor responsibilities for the approved modifications.

6. If the desired modifications cannot be suitably pursued or approved under any of the preceding approaches, additional congressional authorization may be required. Section 216 of the Flood Control Act of 1970 is the appropriate authority to use to consider such modifications.

7. Consideration will be given to further delegation of the approval authority to a lower level as we gain more experience with the types of changes that are proposed for approval under 33 USC 408.

FOR THE COMMANDER:


for DON T. RILEY
Major General, USA
Director of Civil Works



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

NOV 17 2008

CECW-PB

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

1. References:

- a. CECW-PB Memorandum dated 23 October 2006, Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects.
- b. ER 1105-2-101, Planning - Risk Analysis for Flood Damage Reduction Studies, dated 3 January 2006.
- c. CECW-HS Memorandum dated January 23, 2008, Subject: Guidance for the Prioritization of Fiscal Year (FY 2008) Levee Safety Program Inspection Funds.
- d. EM 1110-2-1619, Risk Based Analysis for Flood Damage Reduction Studies, dated 1 August 1996.
- e. ER 1110-2-1150, Engineering and Design for Civil Works Projects, dated 31 August 1999.
- f. ER 1165-2-502, Delegation of Review and Approval Authority for Post-Authorization Decision Documents, dated 31 March 2007.
- g. ER 1105-2-100, Appendix H, Policy Compliance Review and Approval of Decision Documents, November 2007.
- h. ER 1110-1-12, Quality Management, dated 30 September 2006.

2. Purpose: The purpose of this memorandum is to provide additional clarification and to supplement reference 1a, which remains in effect. This memorandum addresses approval levels for various types of alterations/modifications under 33 U.S.C. 408; the application of risk analysis to the required engineering studies, review requirements, report processing requirements, and appropriate funding mechanisms and focuses primarily on flood risk management projects.

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

3. Policy:

a. Application of 33 CFR 208.10 and 33 U.S.C. 408.

(1) 33 U.S.C. 408 authorizes the Secretary of the Army to permit alterations/modifications to existing Corps projects in certain circumstances. The Secretary of the Army has delegated this approval authority to the Chief of Engineers. In addition, the authority to approve relatively minor, low impact alterations/modifications related to the operation and maintenance (O&M) responsibilities of the non-Federal sponsors has been further delegated to the District Engineer for approval in accordance with 33 CFR 208.10. The types of alterations/modifications that can be approved by a District Engineer include placement of structures such as pump houses, stairs, pipes, bike trails, sidewalks, fences, driveways, power poles, and instrumentation provided these alterations/modifications do not adversely affect the functioning of the project and flood fighting activities. If proposed changes are limited to restoring the authorized level of protection or improving the structural integrity of the protection system and do not change the authorized structural geometry or hydraulic capacity, they may be approved in accordance with 33 CFR 208.10. The authorized level of protection is intended to be the top of the levee associated with the design water surface plus appropriate freeboard including consideration for subsidence. Alterations/modifications approved by the District Engineer in accordance with 33 CFR 208.10 are considered within the O&M responsibilities of the non-Federal sponsor and will be implemented by the non-Federal sponsor at no cost to the federal government and are not eligible for credit.

(2) The types of alterations/modifications under 33 U.S.C. 408 that require approval by the Chief of Engineers include degradations, raisings, and realignments and other alteration/modifications not discussed in paragraph 3a(1) above, to the flood protection system. In instances where it is not clear if the proposed alteration/modification is within the authority delegated to the District Engineer for approval in accordance with 33 CFR 208.10 or when the proposed alteration/modification requires approval by the Chief of Engineers, there must be an engineering analysis conducted with consideration of the full range of loading conditions to determine the impact of the alteration/modification on systems performance (flood elevations and structural integrity). Such alterations/modifications include non-Federal levee tie-ins, ramps, riverside landscaping, retaining walls, fill against a levee (such as railroad trestles and overbuild), bridges, relief wells, seepage berms, and stability berms. If the engineering analysis indicates that system performance is adversely impacted by the alteration/modification, then the proposed alteration/modification must be submitted for approval by the Chief of Engineers. The "system performance" includes the portions of the watershed above and

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

below the proposed site of alterations/modifications to the extent that adverse impacts can be identified. "Adverse impacts" include any significant increase in risk to public safety.

(3) Regulatory approval under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 for a structure within the waters of the United States does not, by itself, constitute approval for a project alteration/modification.

b. Risk Analysis.

(1) Non-Federal proposals to degrade, raise, or realign existing Corps projects under 33 U.S.C. 408 should be evaluated as new construction of Federal projects and the potential impact of these changes, including system impacts, must be evaluated in accordance with Corps regulations and policy. A risk analysis will be applied to all evaluations of alterations/modifications to Corps flood damage reduction projects to be approved under 33 U.S.C. 408 in accordance with ER 1105-2-101 and shall apply to the following:

(a) Projects, whether with or without Federal funding, where an ongoing or proposed study considers alternative solutions,

(b) Where the proposed alterations/modifications under 33 USC 408 may impact levees within the purview of forthcoming EC 1110-2- 6067 (formerly known as draft ETL 1110-2-570), Certification of Levee Systems for the National Flood Insurance Program (NFIP) dated 30 September 2008.

(c) Alterations/modifications for which the non-Federal sponsor requests or intends to request credit either under Section 104 of WRDA 1986 or Section 2003 of WRDA 2007.

(2) Risk analysis is not required when evaluating the performance of an existing system where consideration of alternative solutions, USACE certification, or credit are not involved. Even though ER 1105-2-101, Section 6, Variables in a Risk Analysis, includes geotechnical and structural analysis, the risk and uncertainty analysis for evaluation of potential system impacts is limited to the hydrologic and hydraulic parameters. Impacts will be determined by comparing performance parameters as presented in ER 1110-2-101 for the existing or base condition to the condition resulting from the project alteration/modification. The base performance conditions are defined by authorized project features. USACE has provided technical guidance in EM 1110-2-1619, but has yet to fully develop the guidance needed to analyze risk and uncertainty for the geotechnical and structural performance of a system. Until such guidance is developed, deterministic procedures are appropriate for demonstrating geotechnical and structural integrity under the full range of loading conditions. For loading conditions

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

where flood waters exceed the level of protection, the analysis shall include a breach analysis to assess impacts within the system. Under no circumstances will the analysis assume failure of any component of the levee or flood wall system for the flood up to the top of protection as a means to relieving systems impacts.

(3) The district and the non-Federal sponsor should work together to provide an appropriate assessment that incorporates state of the art analyses of other areas of uncertainty. Specific areas of concern include seismic stability, impacts of the overtopping loading conditions and potential impacts to interior drainage. Specific to seismic stability, the studies need to demonstrate that under normal operating conditions failure will not result in unexpected release of flows that would impact project performance.

c. Review Requirements.

(1) All documents submitted by the non-Federal sponsor for consideration under 33 U.S.C. 408 will require an Agency Technical Review (ATR). The ATR may be accomplished by the home district in which the proposed alteration/modification is under consideration. Vertical team coordination is required to assure technical requirements are met throughout the process. This coordination can be accomplished through In-Progress-Reviews (IPR) and during interim draft documentation review.

(2) In addition, documents submitted by the non-Federal sponsor for consideration under 33 U.S.C. 408 that require approval by the Chief of Engineers must undergo a Type II Independent External Peer Review (this is the Safety Assurance Review (SAR) set out under Section 2035 of WRDA 2007) prior to submission of the request for approval to HQUSACE. When the Corps is concurrently performing investigations that will entail a safety assurance review, the SAR for the overarching study will suffice but must be completed prior to initiation of construction. In cases where no Corps investigations are ongoing, an SAR on the proposed alteration/modification must be performed. The SAR must be performed by the non-Federal sponsor prior to a request for approval of the proposed alteration/modification. Guidance on the conduct of Independent External Peer Reviews, including Type II SAR's, is under development and will be forthcoming.

(3) Nothing in this guidance alters Division or District quality management responsibilities in accordance with ER 1110-1-12 and any associated regional guidance.

d. Report Review and Approval.

(1) Requests for approval by the Chief of Engineers of proposed alterations/modifications of an existing Corps project and the supporting documentation

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

will be forwarded to the appropriate HQUSACE Regional Integration Team (RIT). The final decision document products shall include supporting Engineering analyses to the level of detail for preconstruction engineering and design in accordance with ER 1110-2-1150. ER 1110-2-1150 is being updated and is forthcoming. The submittal package will also include the District's memorandum requesting approval and the MSC endorsement of the request as well as the items listed in paragraph 5 of reference 1.a. and the following items:

- (a) A description of all other flood and/or storm risk management actions in the watershed, including current operations and proposed changes actively underway or planned for the future;
- (b) A copy of any related credit requests and a description of the sponsor's intent to seek credit and/or reimbursement, if applicable;
- (c) A risk analysis of the proposed alterations/modifications in accordance with ER 1105-2-101;
- (d) The District's analysis of the policy and legal compliance aspects of the proposed alterations/modifications;
- (e) The District Engineer's determination that the proposed alterations/modifications will meet USACE engineering and safety standards, and will not have significant adverse affects on the functioning of the protective facilities; and
- (f) A copy of any prior HQUSACE guidance regarding alterations/modifications of the project and other damage reduction projects in the watershed.

(2) The RIT will forward the submittal package to CECW-PC for a policy compliance review in accordance with the paragraph 5 of reference 1 a. and the attached Section 408 Submittal Checklist. The policy compliance review results will be provided to the Chief of Engineers or designee prior to approval. The RIT will coordinate the results, as needed, to correct or improve the package as necessary to address significant concerns.

e. Funding.

At this time, funds have not been specifically appropriated by line item for review of proposals under 33 U.S.C. 408. Potentially available sources of funds for review activities include Inspection of Completed Works (ICW) funds and, if there is an ongoing funded project activity directly related to the 408 proposal, project funds. In certain circumstances for alterations/modifications necessary for Federal transportation projects,

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

USACE may accept and expend funds provided by an State DOT agency pursuant to section 139(j) of Public Law 109-59 (codified at 33 U.S.C. 139(j)) provided the Secretary of Transportation finds such review activities directly and meaningfully contribute to an underlying transportation project. In such cases, USACE only may accept funds in amounts necessary to permit USACE to meet the time limits for environmental review established for the project and only may accept funds for activities beyond the normal and ordinary capabilities permitted by USACE's general appropriations. HQUSACE will continue to investigate other avenues of funding for Corps activities under 33 U.S.C. 408.

4. Vertical Teaming: Since it is impossible to anticipate each and every scenario, vertical teaming is a must when there is doubt as to the appropriate course of action related to the application of this guidance. Please coordinate through the appropriate HQUSACE's RIT as needed to ensure that analyses and submittals are in accordance with policy. A guide has been enclosed to help identify the minimum required actions. Other actions should be addressed as appropriate.

FOR THE COMMANDER:



STEVEN L. STOCKTON, P.E.
Director of Civil Works

Encl

DISTRIBUTION:
(See pages 7 and 8)

Final
11/12/08

Section 408 Submittal Package Guide

This guide is intended to ensure a complete submittal, aid the review process and serve as a guide for sponsors/applicants requesting approval of significant modifications or alterations to a locally or federally maintained Corps project requiring Chief of Engineers approval under 33 USC 408. Incomplete submittals will delay processing of applicant requests. This information will be submitted to the MSC for quality assurance review prior to making any recommendations to HQUSACE.

Applicant (Normally the Non-Federal Sponsor) Prepared Documents

1. Written request for approval of the project modification

- A detailed description of the proposed modification
- The purpose/need for the modification
- An appropriate map or drawing

2. Technical Analysis and Adequacy of Design. All necessary technical analysis should be provided. The list below is only a guide for typical items that would routinely be expected and is not intended to list every item that could be needed to make this determination.

- Geotechnical Evaluation.
 - Stability
 - Under seepage
 - Erosion Control
 - Vegetation
 - Material usage/borrow/waste/transport/hauling
- Structural
 - Bridges and related abutments
 - Pier penetrations of levee embankments
 - Diaphragm walls
 - Other structural components integral to the project
 - Gates or other operable features
- Hydraulic and Hydrology
 - Changes in inflow
 - Changes in water surface profiles and flow distribution
 - Assessment of local and system wide resultant impacts
 - Upstream and downstream impacts of the proposed alterations, including Sediment transport analysis as needed
 - Impacts to existing floodplain management

- Operation and Maintenance Requirements
 - Applicant facilities
 - Pre flood preparation
 - Post flood clean up
 - Sediment removal
 - Water control management plan
 - Impacts to other Federal projects within the basin
 - Corps facilities

3. Real Estate Analysis

- Reference ER 405-1-12, Chapter 12, Sections I and II.
 - Include:
 - Description of all Lands, Easements and Rights of Way required for the modification, including proposed estates
 - Description of all Lands, Easements and Rights of Way owned as a part of the authorized project
 - Maps clearly depicting both required real estate and existing real estate limits
 - Navigational servitude, facility relocations, relocation housing assistance and any other relevant factors

4. Discussion of Residual Risk. Discuss the changes to the existing level of risk to life, property as a result of the modification. Will the project incur damages more frequently as a result of flooding that will require Federal assistance under PL 84-99? Risk analysis will be used as the method for communicating residual risk.

5. Administrative record for key decisions for related actions for applicants proposed modification such as environmental reports, judges' decisions, permits, etc.

6. Discussion of Executive Order 11988 Considerations

- Justification to construct in the floodplain
 - No practicable alternative determination, if Federal agency, Agency determination.
- Public Notice Notifications

7. Environmental Protection Compliance. All 408 actions must be in full compliance with all applicable Public laws, executive orders, rules and regulations, treaties, and other policy statements of the Federal government and all plans and constitutions, laws, directives, resolutions, gubernatorial directives, and other policy statements of States with jurisdiction in the planning area. Examples are State water and air quality regulations; State historic preservation plans; State lists of rare, threatened, or endangered species; and State comprehensive fish and wildlife management plans. The District must maintain full documentation of compliance as part of the administrative record. The submittal package provided to HQUSACE will document considerations with significant bearing on decisions regarding the 408 request. Typically the minimum submission will include the following:

- National Environmental Policy Act. The appropriate NEPA process will be determined by the district in consultation with agencies that regulate resources that may be affected by the proposed action. All resources listed in Section 122 of the Rivers and Harbors Act 1970 must be considered. The evaluation will include a description and analysis of project alternatives, the

significance of the effects of each alternative on significant resources. Direct, indirect, and cumulative effects of all reasonably foreseeable actions including the actions of others and natural succession must be considered and documented. A risk analysis must be completed to determine the significance of risks to human life & safety, and property. Mitigation plans must be well described. If Federal funds are or may be involved the mitigation plan must be incrementally justified. NEPA documents will be consistent with 33 CFR 230.

- **Endangered Species Act.** Coordination/consultation with the US Fish and Wildlife Service and/or NOAA Marine Fisheries Service must be complete. Each agency with jurisdiction over a species that may be affected by the proposed action must provide a letter/memo indicating completion of ESA coordination. This documentation may range from a memo saying no ESA protected species or habitats are in the project impact area through a Biological Opinion.
- **Fish and Wildlife Coordination Act.** Either a Final FWCA Report or a letter from the USFWS stating that a FWCA Report is not required must be included.
- **Marine Protection, Research and Sanctuaries Act** For projects involving ocean disposal, or dredged material disposal within the territorial seas, the discharge will be evaluated under Section 103 of the MPRSA. The disposal must meet the criteria established by the EPA (40 C.F.R. 227 and 228). The submittal will document that that materials to be discharged are consistent with the current criteria and the disposal site is suitable.
- **Wild and Scenic Rivers Act.** The submittal will document efforts to identify designated rivers or river reaches (including potential rivers) in the vicinity of the project, and describe follow-up coordination with the agency having management responsibility for the particular river. If a designated river reach is affected, a letter indicating completed coordination is required from the managing agency.
- **Coastal Zone Management Act.** If the proposed action is in a coastal zone documentation of a "determination of consistency" with the state coastal zone management program the appropriate State agency (16 U.S.C 1456) must be included.
- **Clean Air Act.** This is a two-part compliance process. First, the submittal must include a determination that the proposed action is consistent with the Implementation Plan of the affected jurisdiction(s), and concurrence of the appropriate regulatory agency, or a conditional permit. Second, the submittal must include a letter from the USEPA that they have reviewed and commented on the environmental impact evaluations including the NEPA documents.
- **HTRW.** HTRW includes but is not limited to the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, and the Toxic Substances Control Act. The submittal package must include documentation that the USEPA and appropriate State and Tribal agencies with jurisdiction or expertise have been given reasonable opportunity to comment on the proposed action and that their input has been fully considered. The Corps will not incur additional liability related to HTRW.
- **National Historic Preservation Act.** This includes all other applicable historic and cultural protection statutes. The submittal package will include documentation that the Advisory Council on Historic Preservation, and appropriate State and Tribal agencies with jurisdiction or expertise has been given a reasonable opportunity to comment on the proposed action and that their input

has been fully considered. It is not expected that actual mitigation will be completed but appropriate letters indicating completed Consultation determination of significance must be provided.

- Noise Control Act. Documentation of the significance of noise likely to be generated during construction of the proposed project and the noise that may result due to implementation must be provided. If significant noise may result, a noise mitigation plan must be provided.

District Prepared Documents and Analysis of Applicants Request to be submitted to MSC

1. Transmittal letter to MSC Commander with district's determination of technical soundness and environmental acceptability.

a. A physical and functional description of the existing project

1. Name of authorized project
2. authorizing document
3. Law/Section/Date of project authorization
4. Law Sections/Dates of any post-authorization modifications
5. Non-Federal sponsor
6. Congressional Interests (Senator(s), Representative(s) and District(s))

b. Project Documents:

1. Type of Decision Document:
2. Agency Technical Review (ATR) approval Date
3. Independent External Peer Review (IEPR) approval date

c. Policy, Legal and Technical Analysis:

1. Is the original project authority adequate to complete the project as proposed?
2. Has the District Counsel reviewed and approved the decision document for legal sufficiency?
3. Have all aspects of ATR been completed with no unresolved issues remaining?
4. Have the District Commander documented policy/legal/technical compliance of the decision document?

d. Written request for approval of the project modification (applicant prepared)

1. A detailed description of the proposed modification
2. The purpose/need/rationale for the modification

e. A description of any related, ongoing Corps studies and studies by others within the watershed

f. A description and listing of other Corps projects, ongoing and completed, in the watershed

g. A description of any projected/anticipated credit (section 215/104, etc.) for project modification work and date credit agreement(s) signed

h. Sponsor letter of understanding of their responsibility to perform all required OMRR&R for project modifications. For approved alterations/modifications, the non-Federal sponsor shall revise/update the

O&M Manual to reflect the non-Federal O&M responsibilities and the O&M Manual shall be approved by the District Engineer.

i. Real Estate Analysis Review (District/Division)

j. Agency Technical Review (ATR), ER 1110-1-12 para. 3-8. (District coordinates review)

Provide a description of the technical review team, consolidate and analyze their comments, resolution of comments and district commentary on adequacy of technical support and submit to MSC. This is the section 408 technical analysis. *Prior coordination with MSC is required to determine ATR requirements for each submittal. New Quality Management ER under review will require all Agency Technical Review (ATR), formerly ITR, .*

2. If there is an associated Section 404/10 permit action, the required public interest and technical evaluations under 33 USC 408 can be done concurrently with that action. Upon completion of the public interest determination and of the technical analyses regarding the impact of the proposed modification on the usefulness of the project, the District Engineer will make a recommendation (with supporting documentation) through the Division Commander to the Chief of Engineers (Attn: Appropriate RIT) for his consideration and approval under 33 USC 408. The District Engineer will make the final Section 404/10 permit decisions following the Chief of Engineers decision under 33 USC 408.

- Where the 408 action requires an EIS and the Corps is the Lead Agency the District will draft the ROD, but it will not be signed until the Corps has completed its 408 analysis *and the Chief of Engineer's has issued 408 approval*. The Corps' ROD and the 408 request will be processed as concurrently as possible to reduce the delay between the 408 decision and ROD. Since the 408 approval requires the highest level of approval, the ROD will be signed in HQUSACE. After the 408 request is approved and the ROD is signed, the district may issue any needed Section 404/10 permits.
- Where the 408 action requires an EA and FONSI, the Corps is the lead Federal agency the District will prepare the EA and the District Engineer will draft the FONSI analyzing the 408 request and any other Corps action, and submit it to the Chief of Engineers for review and approval. After the 408 authorization is signed by the Chief of Engineers the District Engineer may sign the FONSI and issue any needed Section 404/10 permits

3. Coordination of Section 404/10 and NEPA compliance with 408 requests When Other Agencies are Involved

- HQUSACE has determined that the EIS for projects led by another Federal agency and including a component requiring Corps 408 authorization will require two RODs. The Lead Agency under NEPA will prepare a ROD for the overall project. The Corps would be a Cooperating Agency and thus be allowed to adopt the Lead Agency's EIS. The second ROD, will be specific to the Corps' actions, including the 408 approval and/or Section 404/10 permits. The District will draft the ROD, but it will not be signed until the Corps has completed its 408 analysis *and the Chief of Engineer's has issued 408 approval*. The Corps' ROD and the 408 request will be processed as concurrently as possible to reduce the delay between the 408 decision and ROD. Since the 408 approval requires the highest level of approval, the ROD will be signed in HQUSACE. After the 408 request is approved and the ROD is signed, the district may issue any needed Section 404/10 permits.

MSC prepared documentation and analysis of District submission

Policy and Legal Compliance Review

1. Has the MSC certified the legal/policy/technical and quality management of the decision document?
2. MSC Legal certification approval date
3. MSC certification of policy compliance date

Kris Livingston

From: Greg_Hill@ca.blm.gov
Sent: Thursday, September 24, 2009 3:36 PM
To: HSR Comments
Cc: Ethel_Smith@ios.doi.gov; Sandra_McGinnis@blm.gov
Subject: LA-SD HST Section via the Inland Empire

Dear Mr. Leavitt

The Bureau of Land Management (BLM) has received notification of the NOI for preparation of an EIS/EIR for the proposed Los Angeles to San Diego Section of the California High Speed Train (HST) System (FR Doc. E9-23003).

The BLM manages federal public lands that may be crossed or affected by the proposed route of the HST in Riverside and San Diego Counties. Please include the BLM on the mailing list for this project. This project may require the application for a right-of-way across federal lands. Also, please indicate the location of public lands managed by the BLM, along with any BLM special designations, on project location maps. Impacts to public lands and any special designations, such as Areas of Critical Environmental Concern, should be analyzed in the EIS/EIR.

You may contact me for further questions or for BLM and public land related data needed in the EIS/EIR.

Thank you

Greg Hill
Planning & Environmental Coordinator
Bureau of Land Management
Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262
(760) 833-7100

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
District Eleven

U.S. Coast Guard Island, Bldg 50-2
Alameda, CA 94501-5100
Staff Symbol: (dpw)
Phone: (510) 437-3514
Fax: (510) 437-5836

16590

Los Angeles to San Diego
Segment

September 24, 2009



California High Speed Rail Authority
LA-SD HST Project
Attn: Dan Leavitt, Deputy Director
925 L Street, STE 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

Please include the Coast Guard Bridge Office concerning the Notice of Preparation of a project Environmental Impact Statement for the section of the California High Speed Rail Authority's proposed California High-Speed Train (HST) System, from the City of Los Angeles to the City of San Diego via the Inland Empire, for all bridge related issues over existing or proposed navigable waters of the United States.

The General Bridge Act of 1946 requires that the location and plans for bridges over navigable waters of the United States be approved by the Commandant, U. S. Coast Guard prior to commencing construction.

Coast Guard Bridge permitting is subject to the National Environmental Policy Act (NEPA), and the Coast Guard should be invited to participate as a cooperating agency for NEPA, during the development of the draft environmental document for the project.

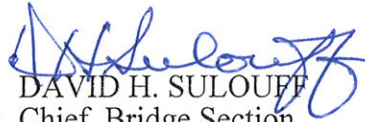
Applications for bridge permits should be addressed to Commander, Eleventh Coast Guard District, Bridge Section, Bldg 50-2, Coast Guard Island, Alameda, CA 94501. Applications are available on-line at: <http://www.uscg.mil/hq/g-o/g-opt/g-opt.htm>. The application must be supported by sufficient information to permit a thorough assessment of the impact of the bridges and their immediate approaches on navigation and the environment. We recommend discussing the proposed impacts of procedures for constructing, altering or demolishing bridges, in the NEPA document. The NEPA document should also contain data on the number, size and types of vessels using or projected to use the waterway.

16590

September 24, 2009

We appreciate the opportunity to comment on the project in this early stage. You may contact Mr. Carl Hausner by telephone at (510) 437-3515 if additional information is needed.

Sincerely,

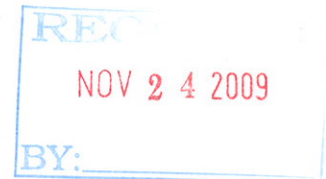


DAVID H. SULOUFF
Chief, Bridge Section
Eleventh Coast Guard District
By direction of the District Commander

Copy: USACE, Los Angeles District



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901



November 19, 2009

David Valenstein
Federal Railroad Administration
1120 Vermont Avenue, NW, MS 20
Washington, D.C. 20590

Subject: Scoping Comments for Los Angeles to San Diego (via the Inland Empire) Section
of the Proposed High-Speed Train System Environmental Impact
Statement/Environmental Impact Report

Dear Mr. Valenstein:

The United States Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published September 24, 2009, requesting comments on the Federal Railroad Administration (FRA) and California High Speed Rail Authority (CHSRA) proposal to prepare a joint project Draft Environmental Impact Statement (Draft EIS) and Draft Environmental Impact Report (Draft EIR) for the Los Angeles to San Diego (via the Inland Empire) section of the Proposed High-Speed Train (HST) System (Project). Our enclosed comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

We appreciate the close working relationship we have had with FRA and CHSRA as a cooperating agency on the previously completed statewide, programmatic, "Tier 1" EIS for a HST system for California. We understand that project-level, "Tier 2" EISs have been initiated as a follow-up to the statewide analysis. If properly planned, EPA supports the concept of an HST system in California that can provide an alternative to increasing vehicle miles traveled and lead to reduced environmental impacts. We look forward to continuing our coordination with you on the Tier 2 EISs and other Tier 2 project-level environmental analyses. We also accept the invitation to become a participating agency on this Project, as requested in CHSRA's October 22, 2009 letter.

Through our previous comments on the statewide, programmatic EIS, EPA provided multiple recommendations and concerns to be addressed at the Tier 2 level. EPA also provided detailed comments on the HST Project Environmental Analyses Methodologies on May 14, 2008. Our detailed comments below include these, and other recommendations, related to continued interagency and community coordination, relationship of this Project to other regional transportation projects, land use and transportation linkages, and analysis of impacts to (1) water

resources, (2) biological resources and wildlife, (3) noise, (4) energy resources, (5) air quality, (6) environmental justice communities, and (7) invasive species. In addition, we have provided recommendations for the analyses of cumulative impacts, growth inducement, and impacts due to tunneling. We also recommend that FRA and CHSRA follow through with the mitigation measure commitments made in the Tier 1 Final Programmatic EIS (see enclosure).

Interagency and Community Coordination

EPA commends the previous efforts of FRA and CHSRA in coordinating with our agency to highlight the potential environmental impacts of an HST system for all of California as outlined in our April 2003 Interagency Memorandum of Understanding (MOU). The MOU outlined a process for integrating the requirements of NEPA and Clean Water Act (CWA) Section 404 to streamline the environmental review process for the statewide "Tier 1" Programmatic Environmental Impact Statement (PEIS), which is now completed.

For this, and all upcoming project-level EISs that tier off of the statewide programmatic document, EPA is available for continued coordination with FRA/CHSRA and other resource agencies to discuss potential environmental concerns and solutions at the earliest possible opportunity.

Furthermore, methods to incorporate effective public participation into the NEPA process should be fully described and implemented early to better address public concerns during the planning process. Where potential acquisition of property is proposed, an open, participatory process involving affected residents should be implemented.

Green Design and Operations

Green Design

EPA recommends FRA and CHSRA commit to building a state-of-the-art sustainable high speed rail system that incorporates the highest levels of energy efficiency available into construction, operations, and maintenance. CHSRA and FRA should provide a clear vision for how the new train system will be built, operated, and maintained in a manner that reduces use of energy, avoids impacts to environmental resources, and provides for improved mobility in an equitable manner. EPA is available to meet with CHSRA and FRA to further discuss design measures to reduce energy usage as much as possible.

Recommendations:

- Include a commitment to achieving Leadership in Energy and Environmental Design (LEED) Platinum certification for the proposed stations and train facility.
- Identify measures to conserve water and manage stormwater runoff. We recommend implementation of "green infrastructure" in onsite stormwater management features, such as bioretention areas, vegetated swales, porous pavement, and filter strips. These features can serve as both stormwater treatment and visual enhancements. More detailed information on these forms of "green infrastructure" can be found at http://cfpub.epa.gov/npdes/home.cfm?program_id=298.

- Identify measures to produce energy onsite and incorporate them into the design of the station, rail, and maintenance facilities.
- Identify in the DEIS estimates of energy savings from proposed measures to improve efficiency through materials, lights, insulation and operations. Commit to industrial materials recycling, or the reusing or recycling of byproduct materials generated from industrial processes. Nonhazardous industrial materials, such as coal ash, foundry sand, construction and demolition materials, slags, and gypsum, are valuable products of industrial processes. Industrial materials recycling preserves natural resources by decreasing the demand for virgin materials, conserves energy and reduces greenhouse gas emissions by decreasing the demand for products made from energy intensive manufacturing processes; and saves money by decreasing disposal costs for the generator and decreasing materials costs for end users. More information can be found at: <http://www.epa.gov/epawaste/conservation/rrr/imr/index.htm>
- Develop an Environmental Management System (EMS) for the proposed facility. An EMS (<http://www.epa.gov/ems/index.html>) is a set of processes and practices that enable an organization to reduce its environmental impacts, reduce costs, and increase its operating efficiency. An EMS is a continual cycle of planning, implementing, reviewing, and improving the processes and actions that an organization undertakes to meet its business and environmental goals. CHSRA and FRA, through an EMS, can demonstrate a commitment to being environmentally sound, in the planning, construction, monitoring, and follow-up actions related to operations.

Relationship to Regional Transportation Projects

The Draft EIS for the Los Angeles to San Diego HST segment should specifically identify how other proposed rail projects in Southern California relate to this Project, as well as how the HST system would integrate with other existing transportation systems, such as Metrolink. EPA encourages FRA and CHSRA to coordinate with local transportation agencies to ensure that the HST is integrated with other public transportation systems.

EPA stated in our comments on the Tier 1 Draft PEIS that a Draft EIS for the Los Angeles to San Diego (LOSSAN) corridor and planned improvements would be prepared separately from the HST environmental review process. That environmental review process has been completed. The Draft EIS for this Project should clarify how the previous proposal for LOSSAN improvements relates to this action.

FRA has proposed a separate network using magnetic levitation technology for high speed train service in southern California. The Tier 1 Final PEIS did not fully discuss the magnetic levitation proposal or the need for both steel-wheel on steel-rail technology proposed for this project and the magnetic levitation technology proposed for a separate high speed train system in southern California. FRA has also recently proposed the Desert Xpress High Speed Passenger Train to run from Victorville, California to Las Vegas, Nevada. A full discussion of these project proposals, their potential integration, and potential duplication of efforts and incompatibilities should be included in the Draft EIS.

Recommendations:

- Clarify the relationship between the LOSSAN proposal and this segment of the HST system. Discuss other proposals by FRA for magnetic levitation technology high speed train service in California and the proposed Desert Xpress train and identify integration and/or incompatibility of these projects.

Coordination with local transportation agencies provides an opportunity to integrate high speed rail with plans for local service. EPA recommends FRA and CHSRA involvement in regional projects in order to minimize duplication of efforts and conflicting transit goals so that potential design, construction, permitting, and mitigation in the area can be streamlined to minimize environmental impacts.

Recommendations:

- Address how the proposed Project will insure that potential duplication of efforts and incompatibilities with other rail and/or transit systems will not occur.
- Identify integration and/or incompatibility of the proposed Project with other existing and proposed projects, including existing and potential expansion of Metrolink service.
- Identify the specific features of the Project that are being designed to “link up” with the other transportation proposals in the region.

Land Use and Transportation Linkage

The Draft EIS should identify all transportation improvements proposed to provide access to the proposed Project from anticipated key rider groups in Los Angeles, San Diego, and other population centers, including transit connections, new methods to move people while reducing congestion, and increased bus service (express service, increase in service on existing routes, and new routes). The Draft EIS should analyze and disclose the temporary and permanent environmental impacts of constructing stations, parking facilities, maintenance and storage facilities, power propagation infrastructure, and required road construction and modifications. Because the project system is planned, in part, along the existing Metrolink corridor, the Draft EIS should describe, in detail, the specific modifications to the existing rail network and rail crossings required to be compatible with a HST system.

The Draft EIS should also demonstrate avoidance and minimization measures to reduce environmental impacts associated with the construction of passenger stations and maintenance facilities, such as multi-level parking structures as opposed to large surface parking lots. The Draft EIS should identify where proposed stations, parking facilities, and additional required infrastructure will be located in the project corridor, and should disclose the associated impacts from station development on planned and unplanned growth.

Recommendations:

- Describe the expected land use changes associated with station locations, including new transit services and other methods for riders to access the stations.
- Describe the associated environmental impacts of those land use changes, including indirect and cumulative impacts.
- Identify how access to the HST system will be integrated with the existing Metrolink system and describe, in detail, the specific modifications to the existing rail network and rail crossings required to be compatible with an HST system.
- Identify parties responsible for mitigating the environmental impacts associated with the indirect and cumulative impacts of the projected land use changes.
- Identify the timeline for improvements and maintenance.

A substantial benefit of a proposed high speed rail corridor connecting Los Angeles to San Diego is the opportunity to provide improved transit services and to reduce vehicle miles traveled (VMT). EPA strongly supports including project elements that will further reduce VMT.

Recommendations:

- Minimize the number of parking spaces to the greatest extent possible at the station in order to facilitate the use of transit;
- Coordinate with other transit providers to maximize station access by transit;
- Design the new facilities to be pedestrian and bicycle-friendly, in addition to linking with other modes of transit; and
- Support policies that will increase density and mixed uses in the station areas.

Water Resources

The Clean Water Act Section 404(b)(1) Guidelines (Guidelines) at 40 CFR Part 230.10(a) state that “. . .no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.” While EPA has concurred that the HST alternative alignment identified in the Programmatic EIS is “most likely to contain” the least environmentally damaging practicable alternative (LEDPA), FRA and CHSRA will have to demonstrate in the Draft EIS for this Project that potential impacts to waters of the United States have been avoided and minimized to the maximum extent practicable prior to obtaining a CWA Section 404 permit (40 CFR 230.10(a) and 230.10(d)).

March Air Reserve Base to Mira Mesa

In our comments on the Tier 1 Draft PEIS, EPA expressed concerns about potential impacts to the Santa Margarita Ecological Reserve and the Santa Margarita River. We appreciate the measures identified in the Tier 1 Final PEIS to avoid impacts to the Ecological Reserve. The Draft EIS should disclose what impacts the proposed route would have on the Santa Margarita River and other habitat and wildlife movement corridors between March Air Reserve Base and Mira Mesa.

Recommendations:

- Describe the impact of the proposed HST alignment to the Santa Margarita River and to the wildlife habitat and movement corridors in this region. Identify techniques and design variations to avoid these resources.

Carroll Canyon and Miramar Road

An inland route connecting Mira Mesa to San Diego may affect downstream lagoons. A HST route through Carroll Canyon will affect the ability of this floodplain to absorb seasonal and annual flooding, will increase erosion and sedimentation, and may negatively impact the water quality of the downstream Los Penasquitos Lagoon. A Mira Mesa to San Diego route has the potential to impact multiple rare vernal pools in San Diego County. Because of the rarity of the vernal pools, these impacts are an important factor to consider in the Draft EIS.

Recommendations:

- EPA recommends avoiding placement of a HST route in canyons due to the significant permitting challenges such alternatives may face as a result of large amount of cut and fill, increased erosion and sedimentation, and downstream impacts.
- Disclose the number and location of individual vernal pools and larger vernal pool complexes that would be affected by each alternative alignment.
- Follow through with commitments made in the statewide Tier 1 Final PEIS, specifically "Avoidance and minimization measures would be incorporated into the development, design, and implementation phases at project-level environmental analysis. In addition, close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices" (Final PEIS, Page 3.17-25).
- Ensure the mitigation measures as listed in the table starting on page 3.17-28 of the Final PEIS are incorporated in the Draft EIS for this project (see enclosure).
- Demonstrate that all potential impacts to waters of the United States have been avoided and minimized. If these resources cannot be avoided, the Draft EIS analyses should clearly demonstrate how cost, logistical, or technological constraints preclude avoidance and minimization of impacts.

- Identify design measures and modifications to avoid and minimize impacts to water resources. Quantify the benefits achieved for each alternative studied, for example, number of stream crossings avoided, acres of waters of the United States avoided, etc.
- Identify all protected resources with special designations and all special aquatic sites and waters within state, local, and federal protected lands. Additional steps should be taken to avoid and minimize impacts to these areas.
- Include a compensation proposal for unavoidable impacts to CWA regulated waters that complies with new regulations for compensatory mitigation promulgated in April 2007 (40 CFR 230 Subpart J).

Waters Assessment

The waters assessment should be of an appropriate scope and detail to identify sensitive areas or aquatic systems with functions highly susceptible to change. EPA also recommends the following in the Draft EIS for the assessment of existing conditions and environmental consequences of each proposed alternative:

Recommendations:

- Estimate waters of the United States within the project area using CWA jurisdictional determinations, which should be submitted to the Army Corps of Engineers for verification.
- Provide maps of the estimated or verified CWA jurisdictional determinations.
- Provide specific descriptions of proposed activities in CWA regulated waters including grading plans and cross sections.
- Include the classification of waters and the geographic extent of waters and adjacent riparian areas.
- Characterize the functional condition of waters and adjacent riparian areas.
- Describe the extent and nature of stream channel alteration, riverine corridor continuity, and buffered tributaries.
- Include wildlife species affected that could reasonably be expected to use waters or associated riparian habitat and sensitive plant taxa that are associated with waters or associated riparian habitat.
- Analyze the potential flood flow alteration.
- Characterize the hydrologic linkage to any impaired water body.
- Analyze the potential water quality impact and potential effects to designated uses.

- Address techniques proposed for minimizing surface water contamination due to increased runoff from additional impervious surfaces.

Avoidance and Minimization Measures

To demonstrate compliance with CWA Guidelines, FRA/CHSRA must explore onsite alternatives to avoid or minimize impacts to specific waters. Typically, transportation projects can accomplish this by using spanned crossings, arched crossings, or oversized buried box culverts over drainages to encourage continuity of sediment transport and hydrological processes and wildlife passage.

The Draft EIS should include a complete systematic analysis for drainage crossings which identifies and prioritizes the potential for improvements to the aquatic system and for wildlife use at each crossing, as applicable. Additionally, the Draft EIS should identify measures and modifications to avoid and minimize impacts to water resources. Temporary and permanent impacts to waters of the U.S. for each alternative studied should be quantified; for example, acres of waters impacted, etc. For each alternative, the Draft EIS should report these numbers in table form for each impacted water and wetland feature.

Biological Resources and Impacts to Wildlife

EPA is supportive of FRA and CHSRA previous commitments in the statewide Tier 1 Final PEIS that “project-level studies will identify areas where it is important to maintain connectivity and will ensure that sufficient mitigation is included to maintain movement corridors,” and “wildlife underpasses or overpasses will be added to the (HST) at-grade alignments, where appropriate, to reduce the overall effects on wildlife corridors and movements” (Final PEIS Appendix 2, Chapter 9, Standard Response 3.15.9). If the proposal includes fencing of the HST system, the proposal may affect wildlife movement corridors where (1) the HST alignment is not in an existing rail or highway corridor and would traverse natural areas, and (2) habitat use in existing rights-of-way occurs across roads and rail lines currently unobstructed by fences. The Draft EIS should address wildlife movement impacts associated with the proposal and present mitigating measures, if appropriate. Proposed stream and wash crossings should be designed to maintain or improve existing wildlife passages.

EPA provides the following recommendations to be implemented by FRA and CHSRA for the Draft EIS. Much of the information identified below is now available for FRA and CHSRA to use in landscape-level analyses, and up-front data compilation and coordination with species experts prior to initiation of project-level planning will contribute to a better understanding of the measures needed to reduce impacts to biological resources.

Recommendations:

- Incorporate information developed for the California Essential Habitat Connectivity Project and identify how Project alternatives have been designed to allow for continued wildlife movement:
http://www.dot.ca.gov/hq/env/bio/program_efforts.htm.

- Use data developed for the statewide California Wildlife Action Plan (CWAP) to inform the siting of Project alternatives and mitigation. Identify in the Draft EIS the specific design changes proposed to avoid resources. The CWAP addresses 800 at-risk species and provides range maps. The range maps for these species are available from the California Department of Fish and Game:
<http://www.dfg.ca.gov/habitats/WDP/>
- In addition to reviewing the available data indicating where species ranges may be bisected by the HST system, EPA recommends that FRA and CHSRA facilitate a meeting of scientists and local experts to explore specific locations and design features for wildlife crossings that are needed.
- Identify the connections that would likely remain after construction of the HST system and highlight these areas as "connectivity zones" for protection and preservation. In the Draft EIS, identify specific commitments for preservation of these corridors through mitigation measures and cooperative agreements.
- As applicable, disclose how fencing the train route will affect wildlife movement and discuss how fencing for safety purposes will be integrated with proposed wildlife passages, such as culverts, bridges, viaducts, underpasses, and overpasses.

The Draft EIS should also describe efforts to avoid and/or minimize impacts to threatened and endangered species and associated habitats, as well as preserves, parks, and restoration and habitat management areas. The Draft EIS should describe the extent and nature of the protected species and their primary habitat(s) and the extent and nature of potential impacts to proposed and designated critical habitat. The Draft EIS should also provide a description of narrow endemics, unique habitat elements, and suitable habitat for native fauna and flora in the project area and the extent each proposed alternative may affect each resource. Efforts to minimize or avoid impacts to resources should be presented with a quantification of specific resources avoided.

Noise Impacts

The Draft EIS should address the potential noise and vibration impact to residents, businesses, and wildlife related to the construction and operation of the proposed Project. Potential impacts to human health and welfare and wildlife activity are important with a project of this magnitude, particularly in light of the densely populated area and maximum speed and resulting noise and vibration that the HST will produce throughout the train route.

Recommendations:

- All noise impacts to should be fully analyzed and presented in the Draft EIS. In addition, the Draft EIS should include commitments to implement measures to adequately mitigate noise impacts associated with the Project. The Draft EIS should assess noise and vibration exposure to determine the severity of impacts near the proposed HST route.

- The Draft EIS should address nocturnal and diurnal impacts to wildlife activities such as foraging, predator avoidance, and nesting that may be affected by new noise and vibration introduced to natural habitats.

Energy Resources

It is our expectation that the HST project will increase annual electricity use and decrease use of diesel fuel and gasoline. Successful implementation of the proposed project depends on the availability of sufficient sources of energy. The Draft EIS should identify the number and capacity of energy facilities that are either operational or under construction and discuss whether the future supply is expected to be adequate to meet growth in demand, given the number of power plants planned. The energy analysis should take into consideration the cumulative impact of other planned projects that will also increase demand on the existing energy supply.

Recommendations:

- Identify the number and capacity of energy facilities that are either operational or under construction and discuss whether the future supply is expected to be adequate to meet growth in demand, given the number of power plants planned.
- Discuss the cumulative impact of other planned projects that will also increase demand on the existing energy supply.

Air Quality

The Draft EIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each fully evaluated alternative.

The proposed Project is located in the South Coast Air Basin and the San Diego Area. The South Coast Air Basin is classified as non-attainment for ozone and particulate matter (PM₁₀ and PM_{2.5}), and the San Diego Area is designated non-attainment for ozone. Because of the air pollution challenges facing both these areas, it is important to reduce emissions of ozone precursors and particulate matter from this Project to the maximum extent.

Recommendations:

- Provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each alternative.
- Include a thorough analysis of impacts from the construction and operation of the proposed alternatives. Include monitoring data, any anticipated exceedances of NAAQS, and estimates of all criteria pollutant emissions, including the federal 8-hour ozone standard and the PM_{2.5} standard.

- Disclose the available information about the health risks associated with vehicle emissions, sensitive receptors in the vicinity of the project area, and how the proposed project will affect current emission levels.
- Work with the South Coast Air Quality Management District (SCAQMD), County of San Diego Air Pollution Control District (SDAPCD), Caltrans, the Southern California Association of Governments (SCAG), and the San Diego Association of Governments (SANDAG) to ensure that methods to estimate emissions and anticipated emissions values from the proposed project are consistent with Air Quality Management Plan and Regional Transportation Plan (RTP) conformity determinations.
- Use the most current EPA-approved model to estimate emissions, including re-entrained PM₁₀ emissions and present all methods and assumptions for analyses with pertinent air quality analyses and conclusions.
- Include an identification of potential hotspot impacts, especially where parking lots, idling locomotives, idling buses, and road modifications are proposed.

General Conformity and Transportation Conformity

The proposed Project may require a general conformity determination by FRA. If required, the Draft EIS should include the general conformity determination with related mitigation commitments. FRA and CHSRA should work with SCAQMD and SDAPCD to ensure that anticipated emissions from the proposed project are consistent with the regions' Air Quality Management Plans.

To the extent that the proposed train system will require modification of the existing grade crossings, road network and construction of parking lots and transit facilities, the Draft EIS should identify what elements of this project will require funding or approval by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA). In addition, the Draft EIS should demonstrate that FHWA or FTA-funded or -approved project elements are included in a conforming transportation plan and a transportation improvement program. FRA and CHSRA should work with SCAQMD, SDAPCD, SCAG, and SANDAG to ensure that applicable elements of the proposed project are consistent with future revisions of the RTP. The identification of sensitive receptors, and carbon monoxide and particulate matter hotspot analyses should be included in the Draft EIS, especially where parking lots and road modifications are proposed.

Construction Mitigation Measures

The proposed Project will involve construction and staging along heavily populated sections of the corridor. Because of the multiple receptors along the corridor, FRA and CHSRA should identify and commit to specific requirements to reduce emissions.

The Draft EIS should include SCAQMD and SDAPCD requirements to reduce emissions. In addition to these measures, EPA recommends the following additional measures to reduce the impacts resulting from future construction associated with this Project.

Recommendations:

In light of the serious health impacts associated with PM_{2.5} (fine particulate matter) and diesel exhaust exposure, we recommend that the best available control measures for these pollutants be implemented at all times and recommend that a Construction Emissions Mitigation Plan is incorporated into the Draft EIS. We recommend that all SCAQMD and SDAPCD requirements, and the following additional measures be incorporated into a Construction Emissions Mitigation Plan, where feasible and appropriate, in order to reduce impacts associated with fugitive dust and emissions of PM_{2.5}, diesel exhaust, and mobile source air toxics from construction-related activities:

Fugitive Dust Source Controls:

- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Minimize use, trips, and unnecessary idling of heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: <http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, commit to the best available emissions control technology. Tier 4 engines are available in the 2009-model year and should be used for project construction equipment to the maximum extent feasible. Lacking availability of non-road construction equipment that meets Tier 4 engine standards, FRA/CHSRA should commit to using the best available emissions control technologies on all equipment.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

Administrative controls:

- Specify the means by which impacts to sensitive receptors, such as children, elderly, infirm and others identified in the Draft EIS, will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility. Provide the justification behind not committing to all mitigation measures. Should FRA and CHSRA determine that potential mitigation measures are not economically feasible, the Draft EIS should provide the context behind this decision.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and, where appropriate, use alternative fuels such as natural gas and electric.

Greenhouse Gases

Due to the nature of this Project and the potential greenhouse gases (GHG) benefits that could result, we believe the Project proponents have an opportunity to demonstrate the potential overall GHG benefits of such a project. There are many guidance documents available or expected to be available in the near future to assist with this analysis. EPA is also available to coordinate regarding analysis of GHGs. Please refer to our detailed comments on the HST Project Environmental Analyses Methodologies for further recommendations on the analysis of GHG emissions in the project level EISs.

Additionally, EPA recommends the Draft EIS should ultimately identify the cumulative contributions and reductions to GHG emissions that will result from implementation of the Project. We also recommend that the Draft EIS discuss the potential impacts of climate change on the Project. Finally, the Draft EIS should identify if there are specific mitigation measures needed to 1) protect the Project from the effects of climate change, 2) reduce the Project's adverse air quality effects, and/or 3) promote pollution prevention or environmental stewardship. Any design and operation measures that can be identified as reducing GHGs should be identified in the EIS with an estimate of the GHG emissions reductions that would result if measures were ultimately implemented.

Tunneling Methodology and Impacts

As applicable, the Draft EIS should identify the amount of material to be removed per mile of tunnel and where material will be disposed or stored. Any impacts associated with the transport and storage of fill should be described and mitigated. Discuss the tunneling methodology to be utilized and the corresponding environmental impacts. Identify specific

design measures and options to insure that the full scope of environmental impacts associated with tunneling are considered in project design.

Recommendations:

- Discuss the methodology proposed for any alternative design that involves tunneling, including equipment and planned locations for staging tunnel operations and methods for transportation of tunnel equipment.
- Quantify the environmental impacts associated with the tunneling and required connected actions, for example, amount of material removed per mile tunnel, impacts associated with storage of removed material, road access required, impacts associated with the transport of removed material, etc.
- Discuss the potential impacts of tunneling on the existing transportation network.
- Address the potential for tunneling to affect stream flows, riparian habitat, the direction of lateral movement of water through the soil profile, and the recharge of shallow, unconfined aquifers.
- Estimate the miles of roads required for operation and access for emergency personnel in tunneled areas and the number of temporary roads required for each mile of tunnel construction. Include proposed methods for removal and revegetation of these roads.

Cumulative Impact Analysis

Cumulative impacts are defined in the Council on Environmental Quality's (CEQ) NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such actions (40 CFR 1508.7). The cumulative impacts analysis should provide the context for understanding the magnitude of the impacts of the alternatives by analyzing the impacts of other past, present, and reasonably foreseeable projects or actions and then considering those cumulative impacts in their entirety. These actions include both transportation and non-transportation activities. Where adverse cumulative impacts are identified, the Draft EIS should disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts (CEQ's Forty Most Frequently Asked Questions #19).

Recommendations:

- The cumulative impact analysis should consider transportation and non-transportation projects such as large-scale developments and approved urban planning projects that are reasonably foreseeable and are identified within city and county planning documents.
- The cumulative impact analysis should describe the "identifiable present effects" to various resources attributed to past actions. The purpose of considering past actions is

to determine the current health of resources. This information forms the baseline for assessing potential cumulative impacts and can be used to develop cooperative strategies for resources protection (CEQ's Forty Most Frequently Asked Questions #19). Identify the current condition of the resource as a measure of past impacts. For example, the percentage of wetlands lost to date.

- Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or stasis.
- The cumulative impact analysis should identify potential large, landscape-level statewide and regional impacts, as well as potential large-scale mitigation measures. The analysis should examine landscape-level impacts to the human and natural environment on a statewide and regional scale. The cumulative impact analysis should guide minimization measures and mitigation efforts. Disclose the parties that will be responsible for avoiding, minimizing, and mitigating impacts, as well as a timeline for implementing mitigation measures.
- EPA recommends that FRA and CHSRA use the Caltrans cumulative impacts guidance, which is applicable to cumulative impact analyses for non-road projects. This guidance can be found at http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm.

Growth Inducement Analysis

EPA recommends that FRA and CHSRA make both the methodology and the assumptions in the growth inducement analysis as transparent as possible to the public and decision makers.

Recommendations:

- Identify which land use model will be used, discuss its strengths and weaknesses, and describe why it was selected.
- Identify the assumptions used in the model, the strengths and weaknesses of the assumptions, and why those assumptions were selected. For example, describe which method will be used to allocate growth to analysis zones, its strengths and weaknesses, and why that method was selected.
- Ground truth the results of the land use model by enlisting local expertise involved in land use issues, such as local government officials, land use and transportation planners, home loan officers, and real estate representatives. Use their collective knowledge to validate or modify the results of the land use model.

- Use the results of the growth inducement analysis to inform station locations, and parking lot size and locations, as well as mitigation measures to reduce environmental impacts.
- Use the results of the growth inducement analysis to estimate growth inducement impacts to CWA regulated waters and inform LEDPA identification.
- Identify station locations that are currently zoned for high density development and those that are not. Address potential growth-related mitigation efforts, including incentives and other mechanisms to encourage transit-oriented development, and measures to increase the capacity of city/county high density planning efforts.
- Use FHWA and Caltrans growth-related impacts guidance, which is applicable to growth-related impact analyses for non-road projects. This guidance can be found at [http://www.dot.ca.gov/ser/Growth-related IndirectImpactAnalysis/gri_guidance.htm](http://www.dot.ca.gov/ser/Growth-related%20IndirectImpactAnalysis/gri_guidance.htm).

Environmental Justice

Executive Order 12898 addresses Environmental Justice in minority and low income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process (<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf>).

Recommendations:

- Identify how the proposed alternatives may affect the mobility of low-income or minority populations in the surrounding area.
- Provide specific, appropriate mitigation measures for any anticipated adverse impacts to community members.
- Include opportunities for incorporating public input to promote context sensitive design, especially in Environmental Justice communities.

Invasive Species


The proposed Project may include impacts to vegetation within the existing right-of-way and mitigation is proposed as a result of ground disturbance and tree removal. Executive Order 13112 on Invasive Species calls for the restoration of native plant and tree species.

Recommendation:

- To the extent that this project will entail new landscaping and tree replacement, the mitigation measures should describe how the project will meet the requirements of Executive Order 13112 by using native species. Replacement of trees and revegetation should be coordinated with appropriate city and county urban foresters and native species should be utilized where feasible.

We look forward to maintaining our working relationship with FRA and CHSRA as we continue to coordinate on a proposed HST system for California. If you have any questions, please feel free to contact Connell Dunning, Transportation Team Leader, at 415-947-4161, or Carolyn Mulvihill, the lead reviewer for this project, at 415-947-3554 or mulvihill.carolyn@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Mulvihill".

Carolyn Mulvihill
Environmental Review Office

Enclosure: Mitigation Strategies, Bay Area to Central Valley HST Final Program EIR/EIS

cc: Dan Leavitt, California High Speed Rail Authority
Mehdi Morshed, California High Speed Rail Authority
Veronica Chan, Army Corps of Engineers
Roberta Gerson, U.S. Fish and Wildlife Service
Ray Sukys, Federal Transit Administration
Gary Sweeten, Federal Highway Administration
Scott Wilson, California Department of Fish and Game
Ron Kosinski, Caltrans District 7
Ernest Figueroa, Caltrans District 8
Suzanne Glasgow, Caltrans District 11

Resource Area	Impact Area	Mitigation Measure
Traffic and circulation	Traffic and circulation	Require that HST system stations serve as multi-modal transportation hubs providing easy connection to local/regional bus, rail, and transit services, as well as providing bicycle and pedestrian access.
		Require the HST system to be grade-separated from all roadways to allow vehicular traffic to flow without impediment from the HST system.
		Work with local and regional agencies to develop and implement transit-oriented development strategies, as described in Chapter 6, around HST stations.
		Work with local and regional agencies to identify, plan, coordinate, and implement traffic flow improvements around HST station locations during project-level planning. Such improvements may include:
		a. a construction phasing and traffic management plan for construction periods;
		b. improving capacity of local streets with upgrades in geometrics such as providing standards roadway lane widths, traffic controls, bicycle lanes, shoulders, and sidewalks;
		c. modifications at intersections, such as signalization and/or capacity improvements (widening for additional left-turn and/or through lanes), and turn prohibitions;
		d. signal coordination and optimization (including retiming and rephasing);
Air quality	Localized air quality impacts due to congestion/traffic near HST stations	e. designation of one-way street patterns near some station locations;
		f. truck route designations; and
		g. coordination with Caltrans regarding nearby highway facilities.
		Work with public transportation providers to coordinate services and to increase service and/or add routes, as necessary, to serve the HST station areas.
	Short-term air quality impacts due to construction	Avoid parking impacts by developing and coordinating implementation at the project-level of parking improvement strategies consistent with local policies, including shared parking, offsite parking with shuttles, parking and curbside use restrictions, parking permit plans for neighborhoods near HST stations, and other parking management strategies.
		Assure that HST stations are multi-modal hubs and include appropriate parking.
		Coordinate with local and regional public transportation providers to increase opportunities for connection between the HST system and other public transportation services.
		Work with local and regional agencies to implement local street and roadway improvements, including various traffic flow improvements and congestion management techniques, and parking management strategies to reduce localized pollution from traffic related to the HST system.
		Water all active construction areas at least twice daily.
		Require that all trucks hauling soil, sand, and other loose materials be covered or maintain at least 2 feet of freeboard.
		Pave, apply water three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at active construction sites.
		Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at active construction sites.
		Sweep nearby streets daily (with water sweepers) if visible soil materials from HST system construction are carried onto adjacent public streets.
		Hydroseed or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more).
		Enclose, cover, water twice daily, or apply nontoxic soil binders to exposed stockpiles of dirt, sand, etc.
		Limit traffic speeds on unpaved roads to 15 mph.

Resource Area	Impact Area	Mitigation Measure
Noise		Install sand bags or other erosion control measures to prevent silt runoff to public roads.
		Replant vegetation in disturbed areas as quickly as possible.
		Use alternative fuels for construction equipment when feasible.
		Minimize equipment idling time.
		Maintain properly tuned equipment.
	Increased noise from train operations and construction	Grade separations to eliminate grade crossing related noise.
		Noise barriers, such as sound walls, where there are severe noise impacts.
		Require noise reduction in HST equipment design and track structures design.
		Use of enclosures or walls to surround noisy equipment, and installation of mufflers on engines; substituting quieter equipment or construction methods, minimizing time of operation, and locating equipment farther from sensitive receptors.
		Where not already included, consider placing alignment sections in tunnel or trenches or behind berms where possible and where other measures are not available to reduce significant noise impacts.
		Suspend construction between 7:00 pm and 7:00 am and/or on weekends or holidays in residential areas where there are severe noise impacts.
		In managing construction noise, take into account local sound control and noise level rules, regulations, and ordinances.
		Ensure that each internal combustion engine is equipped with a muffler of a type recommended by the manufacturer.
		Specify the use of the quietest available construction equipment where appropriate and feasible.
		Turn off construction equipment during prolonged periods of nonuse.
		Require contractors to maintain all equipment and to train their equipment operators.
		Locate noisy stationary equipment away from noise sensitive receptors.
	Exposure to ground-borne vibration	Specify the use of train and track technologies that minimize ground vibration such as state of the art suspensions, resilient track pads, tie pads, ballast mats, or floating slabs.
		Phase construction activity, use low impact construction techniques, and avoid use of vibrating construction equipment where possible to avoid vibration construction impacts.
Energy	Increased energy use and electricity demand with the HST system	HST stations will be multi-modal hubs providing linkage for various transportation modes, which will contribute to increased efficiency of energy use for intercity trips and by commuters, and the stations will be required to be constructed to meet Title 24 California Code of Regulations energy efficiency standards.
		Design practices will require that the electrically powered HST technology be energy efficient, include regenerative braking to reduce energy consumption, and minimize grade changes in steep terrain to reduce energy consumption.
		Design practices will require that localized impacts be avoided through planning and design of the power distribution system for the HST system.
		Locate HST maintenance and storage facilities within proximity to major stations/termini.
	Energy use during construction of the HST system	Develop and implement a construction energy conservation plan.
		Use energy efficient construction equipment and vehicles.
		Locate construction material production facilities on site or in proximity to project construction sites.

Resource Area	Impact Area	Mitigation Measure
		Develop and implement a program encouraging construction workers to carpool or use public transportation for travel to and from construction sites.
Electromagnetic fields and electromagnetic interference	Exposure of electromagnetic fields to HST system workers, passengers, and nearby residents, schools and other facilities	Use standard design practices for overhead catenary power supply systems and vehicles, including appropriate materials, location and spacing of facilities, and power supply systems to minimize exposure to receptors over distance, and shielding with vegetation and other screening materials.
		Design overhead catenary system, substations, and transmission lines to reduce the electromagnetic fields to a practical minimum.
	Electromagnetic interference with electronic and electrical devices	Design the overhead catenary system, substations, and transmission lines to reduce the electromagnetic fields to a practical minimum.
		Design the project component to minimize arcing and radiation of radiofrequency energy.
		Choose devices generating radio frequency with a high degree of electromagnetic compatibility.
		Where appropriate, add electronic filters to attenuate radio frequency interference.
		Relocate receiving antennas and use antenna models with greater directional gain where appropriate, particularly for sensitive receptors near the HST system.
		Comply with the FCC regulations for intentional radiators, such as the proposed HST wireless systems.
		Establish safety criteria and procedures and personnel practices to avoid exposing employees with implantable medical devices to EMF levels that may cause interference with such implanted biomedical devices.
Land use	Incompatibility with land uses and disruption to communities	Continue to apply design practices to minimize property needed for the HST system and to stay within or adjacent to existing transportation corridors to the extent feasible.
		Work with local governments to consider local plans and local access needs, and to apply design practices to limit disruption to communities.
		Work with local governments to establish requirements for station area plans and opportunities for transit-oriented development.
		Work with local governments to enhance multi-modal connections for HST stations.
		Coordinate with cities and counties to ensure that HST facilities will be consistent with land use planning processes and zoning ordinances.
		Provide opportunities for community involvement early in project-level studies.
		Hold design workshops in affected neighborhoods to develop understanding of vehicle, bicycle, and pedestrian linkages in order to preserve those linkages through use of grade-separated crossings and other measures.
		Ensure that connectivity is maintained across the rail corridor (pedestrian/bicycle and vehicular crossings) where necessary to maintain neighborhood integrity.
		Develop facility, landscape, and public art design standards for HST corridors that reflect the character of adjacent affected neighborhoods.
		Maintain high level of visual quality of HST facilities in neighborhood areas by implementing such measures as visual buffers, trees and other landscaping, architectural design, and public artwork.
	Impacts to neighborhoods during construction	Develop a traffic management plan to reduce barrier effects during construction.
		To the extent feasible, maintain connectivity during construction.
Agricultural	Conversion of	Avoid farmland whenever feasible during the conceptual design stage of the project.

Resource Area	Impact Area	Mitigation Measure
lands	prime, statewide important, and unique farmlands, and farmlands of local importance, to project uses	Reduce the potential for impacts by sharing existing rail rights-of-way where feasible or by aligning HST features immediately adjacent to existing rail rights-of-way.
		Reduce the potential for impacts by reducing the HST right-of-way width to 50 feet in constrained areas.
		Increase protection of existing important farmlands by securing easements or participating in mitigation banks.
		Coordinate with and support the California Farmland Conservancy Program to secure conservation easements on farmland in geographic areas where the HST project creates impacts.
		Coordinate with private agricultural land trusts, local programs, mitigation banks, and Resource Conservation Districts to identify additional measures to limit important farmland conversion or provide further protection to existing important farmland.
	Severance of prime, statewide important, and unique farmlands, and farmlands of local importance, to project uses	Avoid farmland whenever feasible during the conceptual design stage of the project.
		Minimize severance of agricultural land by constructing underpasses and overpasses at reasonable intervals to provide property access.
		Work with landowners during final design of the system to enable adequate property access.
		Provide appropriate severance payments to landowners.
Aesthetics and visual resources		At the project-level, design proposed facilities that are attractive in their own right and that will integrate well into landscape contexts, so as to reduce potential view blockage, contrast with existing landscape settings, light and shadow effects, and other potential visual impacts.
		Design bridges and elevated guideways with graceful lines and minimal apparent bulk and shading effects.
		Design elevated guideways, stations, and parking structures with sensitivity to the context, using exterior materials, colors, textures, and design details that are compatible with patterns in the surrounding natural and built environment, and that minimize the contrast of the structures with their surroundings.
		Use neutral colors and dulled finishes that minimize reflectivity for catenary support structures, and design them to fit the context of the specific locale.
		Use aesthetically appropriate fencing along rights-of-way, including decorative fencing, where appropriate, and use dark and non-reflective colors for fencing to reduce visual contrast.
		Where at-grade or depressed route segments pass through or along the edge of residential areas or heavily traveled roadways, install landscape treatments along the edge of the right-of-way to provide partial screening and to visually integrate the right-of-way into the residential context.
		Use the minimum amount of night lighting consistent with that necessary for operations and safety.
		Use shielded and hooded outdoor lighting directed to the area where the lighting is required, and use sensors and timers for lights not required to be on all the time.
		Design stations to minimize potential shadow impacts on adjacent pedestrian areas, parks, and residential areas, and site all structures in a way that minimizes shadow effects on sensitive portions of the surrounding area.
		Seed and plant areas outside the operating rail trackbed that are disturbed by cut, fill, or grading to blend with surrounding vegetated areas, where the land will support plants. Use native vegetation in appropriate locations and densities.

Resource Area	Impact Area	Mitigation Measure
		Use strategic plantings of fast-growing trees to provide partial or full screening of elevated guideways where they are close to residential areas, parks, and public open spaces.
		Where elevated guideways are located down the median strips or along the edge of freeways or major roadways, use appropriate landscaping of the area under the guideway to provide a high level of visual interest. Landscaping in these areas should use attractive shrubs and groundcovers and should emphasize the use of low-growing species to minimize any additional shadow effects or blockage of views.
		Plan hours of construction operations and locate staging sites to minimize impacts to adjacent residents and businesses.
Public utilities		Make adjustments to the HST alignments and vertical profiles to avoid crossing or using major utility right-of-way or fixed facilities during engineering design.
		If avoidance is not feasible, in consultation and coordination with the utility owner, relocate or protect in-place transmission lines, substations, and any other affected facilities.
		For acquisition projects which result in utility relocation, follow the uniformity and equitable treatment policies, and comply with the requirements, of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 for all property necessary for the proposed HST system.
Hazardous materials and wastes		Investigate soils and groundwater for contamination and prepare environmental site assessments when necessary.
		Design realignment of the HST corridors to avoid identified sites.
		Relocate HST associated facilities such as stations to avoid identified sites.
		Remediate identified hazardous materials and hazardous waste contamination.
		Prior to demolition of buildings for project construction, survey for lead-based paint and asbestos-containing materials.
		Follow BMPs for testing, treating, and disposing of water, and acquire necessary permits from the regional water quality control board, if ground dewatering is required.
		When indicated by project-level environmental site assessments, perform Phase II environmental site assessments in conformance with the ASTM Standards related to the Phase II Environmental Site Assessment Process to identify specific mitigation measures.
		Prepare a Site Management Program/Contingency Plan prior to construction to address known and potential hazardous material issues, including: <ul style="list-style-type: none"> a. measures to address management of contaminated soil and groundwater; b. a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and c. procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.
		As part of the second-tier environmental review, consider impacts to the environment on sites identified on the Cortese list (Government Code Section 65962.4) at that time.
Cultural and paleontological resources	Impacts to archaeological resources and traditional cultural properties	Avoid the impact, or when avoidance cannot be accommodated, minimize the scale of the impact.
		Incorporate the site into parks or open space.
		Provide data recovery for archaeological resources, which may include excavation of an adequate sample of the site contents so that research questions applicable to the site can be addressed.

Resource Area	Impact Area	Mitigation Measure
		Develop procedures for fieldwork, identification, evaluation, and determination of potential effects to archaeological resources in consultation with SHPO and Native American tribes. Procedures may include onsite monitoring when sites are known or suspected of containing Native American human remains and be reflected in Memoranda of Agreement with appropriate bodies.
		Coordinate and consult with tribal representatives.
	Impacts to historic properties/resources	Avoid the impact through project design. Prepare and utilize a treatment plan for protection of historic properties/resources that will describe methods to preserve, stabilize, shore/underpin, and monitor buildings, structures, and objects.
		Avoid high vibration construction techniques in sensitive areas.
		Record and document cultural resources that would be adversely affected by the project to the standards of the Historic American Building Survey or Historic American Engineering Record.
		Develop design guidelines to ensure sympathetic, compatible, and appropriate designs for new construction.
		Consult with architectural historians or historical architects to advise on appropriate architectural treatment of the structural design of proposed new structures. Prepare interpretive and/or educational materials and programs regarding the affected historic properties/resources. Materials may include: a popular report, documentary videos, booklets, and interpretive signage.
		Make interpretive information available to state and local agencies, such as salvage items, historic drawings, interpretive drawings, current and historic photographs, models, and oral histories. Also assist with archiving and digitizing the documentation of the cultural resources affected and disseminating material to the appropriate repositories.
		Relocate and rehabilitate historic properties/resources that would otherwise be demolished because of the project.
		Monitor project construction to ensure it conforms to design guidelines and any other treatment procedures agreed to by the parties consulting pursuant to Section 106 of the National Historic Preservation Act. Repair inadvertent damage to historic properties/resources in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties.
		Salvage selected decorative or architectural elements of the adversely affected historic properties/resources, and retain and incorporate salvaged items into new construction where possible. If reuse is not possible, make salvaged items available for use in interpretive displays near the affected resources or in an appropriate museum.
		Implement an agreement with appropriate bodies specifying procedures for addressing historic resources which may be affected by the HST system.
	Impacts to paleontological resources	Educate workers.
		Recover fossils identified during the field reconnaissance.
		Monitor construction.
		Develop protocols for handling fossils discovered during construction, such as temporary diversion of construction equipment so that the fossils could be recovered, identified, and prepared for dating, interpreting, and preserving at an established, permanent, accredited research facility.
Geology and soils	Seismic hazards	Design structures to withstand anticipated ground motion, using design options such as redundancy and ductility.
		Prevent liquefaction and resulting structural damage and traffic hazards using: <ol style="list-style-type: none"> 1. ground modification techniques such as soil densification; and 2. structural design, such as deep foundations.

Resource Area	Impact Area	Mitigation Measure
		Utilize motion sensing instruments to provide ground motion data and a control system to temporarily shut down HST operations during or after an earthquake to reduce risks.
		Design and engineer all structures for earthquake activity using Caltrans Seismic Design Criteria.
		Design and install foundations resistant to soil liquefaction and settlement.
		Identify potential serpentinite bedrock disturbance areas and implement a safety plan.
		Apply Section 19 requirements from the most current Caltrans Standard Specifications to ensure geotechnically stable slopes are planned and created.
		Install passive or active gas venting systems and gas collection systems in areas where subsurface gases are identified.
		Remove corrosive soil and use corrosion protected materials in infrastructure.
		Address erosive soils through soil removal and replacement, geosynthetics, vegetation, and/or riprap, where warranted.
		Remove or moisture condition shrink/swell soils.
		Utilize stone columns, grouting, and deep dynamic compaction in areas of potential liquefaction.
		Utilize buttress berms, flattened slopes, drains, and/or tie-backs in areas of slope instability.
		Avoid settlement through preloading, use of stone columns, deep dynamic compaction, grouting, and/or special foundation designs.
	Surface rupture hazards	Install early warning systems triggered by strong ground motion associated with ground rupture, such as linear monitoring systems (i.e., time domain reflectometers) along major highways and rail lines within the zone of potential rupture to provide early warnings and allow for temporary control of rail and automobile traffic to avoid and reduce risks.
		Continue to modify alignments to avoid crossing known or mapped active faults within tunnels.
		Avoid active faults to the extent possible. Where avoidance is not possible, cross active faults at grade and perpendicular to the fault line.
	Slope instability	Install temporary and permanent slope reinforcement and protection, based on geotechnical investigations, and review of proposed earthwork and foundation excavation plans.
		Conduct geotechnical inspections during construction to verify that no new unanticipated conditions are encountered.
		Incorporate slope monitoring in final design.
	Difficulty in excavation	Identify areas of potentially difficult excavation to ensure safe practices.
		Focus future geotechnical engineering and geologic investigations in areas of potentially difficult excavation.
		Monitor conditions during and after construction.
		Employ tunnel excavation and lining techniques to ensure safety.
	Hazards related to oil and gas fields	Follow federal and state Occupational Safety and Health Administration regulatory requirements for excavations.
		Consult with other agencies such as the Department of Conservation's Division of Oil and Gas, or the Department of Toxic Substances Control regarding known areas of concern.
		Use safe and explosion-proof equipment during construction.

Resource Area	Impact Area	Mitigation Measure
Hydrology and water resources		Test for gases regularly.
		Install monitoring systems and alarms in underground construction areas and facilities where subsurface gases are present.
		Install gas barrier systems.
	Impacts on floodplains	Avoid or minimize construction of facilities within floodplains where feasible.
		Minimize the footprint of facilities within the floodplain through design changes or the use of aerial structures and tunnels.
		Restore the floodplain to its prior operation in instances where the floodplain is affected by construction.
	Impacts on surface waters	Use construction methods and facility designs to minimize the potential encroachments onto surface water resources.
		Minimize sediment transport caused by construction by following BMPs as part of NPDES and SWPPP requirements that will be included in construction permits. BMPs may include measures such as:
		a. providing permeable surfaces where feasible;
		b. retaining and treating stormwater on site using catch basins and filtering wet basins;
		c. minimizing the contact of construction materials, equipment, and maintenance supplies with stormwater;
		d. reducing erosion through soil stabilization, watering for dust control, installing perimeter silt fences, placing rice straw bales, and installing sediment basins;
		e. maintaining water quality by using infiltration systems, detention systems, retention systems, constructed wetland systems, filtration systems, biofiltration/bioretention systems, grass buffer strips, ponding areas, organic mulch layers, planting soil beds, sand beds, and vegetated systems such as swales and grass filter strips that are designed to convey and treat either fallow flow (swales) or sheetflow (filter strips) runoff.
		Use methods such as habitat restoration, reconstruction of habitat on site, and habitat replacement off site to minimize surface water quality impacts.
		Comply with mitigation measures included in permits issued under Sections 404 and 401 of the federal Clean Water Act.
		Comply with requirements in the SWPPP to reduce pollutants in storm water discharges and the potential for erosion and sedimentation.
		Comply with requirements of Section 10 of the federal Rivers and Harbors Act for work required around a water body designated as navigable and applicable permit requirements.
		Comply with the requirements of a state Streambed Alteration Agreement for work along the banks of various surface water bodies.
		Implement a spill prevention and emergency response plan to handle potential fuel or other spills.
		Where feasible, avoid significant development of facilities in areas that may have substantial erosion risk, including areas with erosive soils or steep slopes.
	Impacts on groundwater	Minimize development of facilities in areas that may have substantial groundwater discharge or affect recharge.
		Apply for, obtain, and comply with conditions of applicable waste discharge requirements as part of project-level review.
		Develop facility designs that are elevated, or at a minimum are permeable, and will not affect recharge potential where construction is required in areas of potentially substantial groundwater discharge or recharge.

Resource Area	Impact Area	Mitigation Measure
Biological resources and wetlands		Apply for and obtain a SWPPP for grading, with BMPs that will control release of contaminants near areas of surface water or groundwater recharge. BMPs may include constraining fueling and other sensitive activities to alternative locations, providing drip plans under some equipment, and providing daily checks of vehicle condition.
		Use and retain native materials with high infiltration potential at the ground surface in areas that are critical to infiltration for groundwater recharge.
	Impacts to sensitive vegetation communities (as defined at the project level)	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Use large diameter tunnels as part of the design to limit surface access needs in tunnels for ventilation or evacuation, as a method to avoid or limit impacts to vegetation and habitat above tunnels.
		Use in-line construction (i.e., use new rail infrastructure as it is built) to transport equipment to/from the construction site and to transport excavated material away from the construction to appropriate re-use or disposal sites to minimize impacts from construction access roads on vegetation/habitat.
		Accomplish necessary geologic exploration in sensitive areas by using helicopters to transport drilling equipment and for site restoration to minimize surface disruption.
		Use and reuse excavated materials within the confines of the project.
		Participate in or contribute to existing or proposed conservation banks or natural management areas, including possible acquisition, preservation, or restoration of habitats.
		Revegetate/restore impacted areas, with a preference for onsite mitigation over offsite, and with a preference for offsite mitigation within the same watershed or in close proximity to the impact where feasible.
		Comply with the Biological Resources Management Plan(s) developed or identified during project-level studies, as reviewed by the USFWS, CDFG, and USACE.
		Conduct preconstruction focused biological surveys.
		Conduct biological construction monitoring.
		Undertake plant relocation, seed collection, plant propagation, and outplanting at suitable mitigation sites.
		Prevent the spread of weeds during construction and operation by identifying areas with existing weed problems and measures to control traffic moving out of those areas such as cleaning construction vehicles or limiting the movement of fill.
	Impacts to wildlife movement corridors	Construct wildlife underpasses, bridges, and/or large culverts to facilitate known wildlife movement corridors.
		Ensure that wildlife crossings are of a design, shape, and size to be sufficiently attractive to encourage wildlife use.
		Provide appropriate vegetation to wildlife overcrossings and undercrossings to afford cover and other species requirements.
		Establish functional corridors to provide connectivity to protected land zoned for uses that provide wildlife permeability.

Resource Area	Impact Area	Mitigation Measure
		Design protective measures for wildlife movement corridors using the following process in consultation with resource agencies:
		a. identify the habitat areas the corridor is designed to connect;
		b. select several species of interest from the species present in the area;
	Impacts to nonwetland jurisdictional waters	c. evaluate the relevant needs of each selected species;
		d. for each potential corridor, evaluate how the area will accommodate movement by each species of interest;
		e. draw the corridors on a map; and
		f. design a monitoring program.
		Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Use aerial structures or tunnels to allow for unhindered crossing by wildlife.
		Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Return degraded habitat to pre-existing conditions.
		Create new habitat by converting nonwetland habitats into wetland or other aquatic habitat.
		Enhance existing habitats by increasing one or more functions through activities such as plantings or nonnative vegetation eradication.
		Provide for passive revegetation by allowing a disturbed area to revegetate naturally.
		Purchase credits in an existing wetlands or aquatic habitat mitigation bank.
		Provide in-lieu fee payments to an agency or other entity who will provide aquatic habitat conservation or restoration.
		Prefer onsite mitigation over offsite mitigation, and for offsite mitigation, prefer that it be located within the same watershed or as close in proximity to the area of impact as possible.
	Impacts to wetlands	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Return degraded habitat to pre-existing conditions.
		Create new habitat by converting nonwetland habitats into wetland or other aquatic habitat.
		Enhance existing habitats by increasing one or more functions through activities such as plantings or nonnative vegetation eradication.
		Provide for passive revegetation by allowing a disturbed area to revegetate naturally.
		Purchase credits in an existing wetlands or aquatic habitat mitigation bank.
		Provide in-lieu fee payments to an agency or other entity who will provide aquatic habitat conservation or restoration.
		Develop and implement measures to address the "no net loss" policy for wetlands.
		Prefer onsite mitigation over offsite mitigation, and for offsite mitigation, prefer that it be located within the same watershed or as close in proximity to the area of impact as possible.
	Impacts to marine and anadromous fishery resources	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Comply with the terms of a Streambed Alteration Agreement for work along banks of surface water bodies.
		Implement a spill prevention and emergency response plan to handle potential fuel or other spills.
		Incorporate biofiltration swales to intercept runoff.

Resource Area	Impact Area	Mitigation Measure
	Impacts to special status species	Where feasible, avoid significant development of facilities in areas that may have substantial erosion risk, including areas with erosive soils and steep slopes.
		Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Relocate sensitive species.
		Conduct preconstruction focused surveys.
		Conduct biological construction monitoring.
		Restore suitable breeding and foraging habitat.
		Purchase credits from an existing mitigation bank.
		Participate in an existing Habitat Conservation Plan.
		Phase construction around the breeding season.
Public parks and recreation resources	Impacts to parks and recreational resources	Continue to apply design practices to avoid impacts to park resources, and when avoidance cannot be accommodated, minimize the scale of the impact.
		Apply measures at the project level to reduce and minimize indirect/proximity impacts as appropriate for the particular sites affected, while avoiding other adverse impacts (e.g., visual), such as noise barriers, visual buffers, and landscaping.
		Apply measures to modify access to/egress from the recreational resource to reduce impacts to these resources.
		Design and construct cuts, fill, and aerial structures to avoid and minimize visual impacts to units of the state park system.
		Incorporate wildlife under- or overcrossings at appropriate intervals as necessary.
		Where public parklands acquired with public funds will be acquired for nonpark use as part of the HST system, commit as required by law to providing funds for the acquisition of substantially equivalent substitute parkland or to acquiring/providing substitute parkland of comparable characteristics for construction impacts.
		Restore affected parklands to natural state and replace or restore affected park facilities.
		If park facilities must be relocated, provide planning studies as well as appropriate design and replacement with minimal impact on park use.
		Use local native plants for revegetation.
		Develop and implement construction practices, including scheduling, to limit impacts to wildlife, wildlife corridors, and visitor use areas within public parks.
		For temporary unavoidable loss of park and recreation facility uses, consider providing compensation.
Cumulative	Impacts on traffic and circulation and travel conditions	<p>The following program-level mitigation strategies can be developed, in consultation with state, federal, regional, and local governments and affected transit agencies, to improve the flow of intercity travel on the primary routes and access to the proposed stations or airports and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Regional strategies will include coordination with Regional Transportation planning and Intelligent Transportation System Strategies. 2. Local improvements could employ TSM/Signal Optimization; local spot widening of curves; and major intersection improvements.
		<p>The following program-level mitigation strategies can be developed, in consultation with state, federal, regional, and local governments and affected transit agencies, to improve the flow of intercity travel on the primary routes and access to the proposed stations or airports and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Regional strategies would include coordination with Regional Transportation planning and Intelligent Transportation System Strategies. 2. Local improvements could employ TSM/Signal Optimization; local spot widening of curves; and major intersection improvements.

Resource Area	Impact Area	Mitigation Measure
	Impacts on air quality	<p>The project-level mitigation strategies to address localized impacts can include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Increase emission controls from power plants supplying power for the HST alignment. 2. Design the system to utilize energy efficient, state-of-the-art equipment. 3. Promote increased use of public transit, alternative fueled vehicles, and parking for carpools, bicycles, and other alternative transportation methods. 4. Alleviate traffic congestion around passenger station areas. 5. Minimize construction air emissions.
	Impacts on noise and vibration	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices emphasizing the use of tunnels or trenches. 2. Use of electric powered trains, higher quality track interface, and smaller, lighter, and more aerodynamic trainsets. 3. Full grade separations from all roadways.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Treatments for insulation of buildings affected by noise and vibration. 2. Sound barrier walls within the right-of-way. 3. Track treatments to minimize train vibrations. 4. Construction mitigation.
	Impacts on land use and planning, communities and neighborhoods, property, and environmental justice	<p>The program-level mitigation strategies for HST alignment contributions to the land use impacts include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way and incorporating strategies for stations to incorporate transit-oriented design. 2. Coordination with cities and counties in each region to ensure that project facilities will be consistent with land use planning processes and zoning ordinances.
	Impacts on agricultural lands	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to avoid agricultural land conversion through maximizing use of existing rights-of-way to minimize encroachment on additional agricultural lands. 2. Utilizing aerial structure or tunnel alignments to allow for vehicular and pedestrian traffic access across the alignment. 3. Reducing the new right-of-way to 50 feet in constrained areas.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Securing easements. 2. Participating in mitigation banks. 3. Increasing permanent protection of farmlands at the local planning level. 4. Coordinating with various local, regional, and state agencies support farmland conservation programs.
	Impacts on aesthetics and visual resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices that will incorporate local agency and community input during subsequent project-level environmental review in order to develop context sensitive aesthetic designs and treatments for infrastructure.

Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design of facilities that integrate into landscape contexts, which will reduce potential view blockage, contrast with existing landscape settings, and light and shadow effects.
	Impacts on public utilities	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices that will avoid potential conflicts, at the project-level analysis, to the extent feasible and practical. These practices include design methods to avoid crossing or using utility rights-of-way by modifying both the horizontal and vertical profiles of proposed transportation improvements. Emphasis will be placed on detailed alignment design to avoid potential contribution to cumulative impacts from linear facilities on land use opportunities and to minimize conflicts with existing major fixed public utilities and supporting infrastructure facilities.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Coordination with utility representatives during construction in the vicinity of critical infrastructure will occur.
	Impacts on cultural and paleontological resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Continued consultation with SHPO will occur to define and describe general procedures to be applied in the future for fieldwork, method of analysis, and the development of specific mitigation measures to address effects and impacts to cultural resources, resulting in a programmatic agreement between the Authority, FRA, and SHPO. 2. Consultation with Native American tribes will occur.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance measures through identification of sensitive resources within the project-level analysis, project design refinement, and careful selection of alignments. 2. Subsequent project-level field studies to verify the location of cultural resources will offer opportunities to avoid or minimize direct impacts on resources, based on the type of project, type of property, and impacts to the resource.
	Impacts on geology and soils	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices will be used while preparing extensive alignment studies to ensure that potential effects related to major geologic hazards such as major fault crossings, oil fields, and landslide areas will be avoided. 2. Mitigation for potential impacts will be developed on a site-specific basis, based on detailed geotechnical studies to address ground shaking, fault crossings, slope stability/landslides, areas of difficult excavation, hazards related to oil and gas fields, and mineral resources.
	Impacts on hydrology and water resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way to minimize potential impacts on water resources.

Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance and minimization measures will be incorporated into the development, design, and implementation phases. 2. Close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, erosion control measures, sediment controlling excavation/fill practices, and other best management practices. 3. Mitigation strategies specific to reconstruction, restoration, or replacement of the resource will occur, in close coordination with state and federal resource agencies, related to flood plains; surface waters, runoff, and erosion; and groundwater.
	Impacts on biological resources and wetlands	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way to minimize potential impacts on biological resources and wetlands. <p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance and minimization measures will be incorporated into the development, design, and implementation phases. 2. Close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices. 3. Mitigation strategies specific to reconstruction, restoration, or replacement of the resource will occur, in close coordination with state and federal resource agencies, related to wetlands. 4. Field studies will be conducted to verify the location, in relation to the HST alignments, of sensitive habitat, wildlife movement corridors, and wetlands. These studies will provide further opportunities to minimize and avoid potential impacts on biological resources through changes to the alignment plan and profile in sensitive areas. For example, the inclusion of design features such as elevated track structures over drainages and wetland areas and wildlife movement corridors will minimize potential impacts to wildlife and sensitive species.
	Impacts on Section 4(f) and 6(f) resources (public parks and recreational resources)	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Incorporation of sound barriers (e.g., walls, berms, or trenches), visual buffers/landscaping, and modification of transportation access to/egress from the public lands and recreational resource. 2. Incorporation of design modifications or controls on construction schedules, phasing, and activities.

Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Beautification measures. 2. Replacement of land or structures or their equivalents on or near their existing site(s). 3. Tunneling, cut and cover, and cut and fill of right-of-ways. 4. Treatment of embankments. 5. Planting, screening, creating wildlife corridors, acquisition of land for preservation, and installation of noise barriers. 6. Establishment of pedestrian or bicycle paths. 7. Other potential mitigation strategies identified during the public input process. <p>In the event that HST alignments or facilities are located within or in close proximity to public parks, the following mitigations for natural, cultural, aesthetic, and recreational impacts may be considered to offset the contribution to the cumulative impact, including but not limited to:</p> <ol style="list-style-type: none"> 1. Compensation for temporary and loss of park and recreation use. 2. Recordation of any historic features removed. 3. If necessary, provide alternative shuttle access service to park visitors. 4. Restore directly impacted park lands to a natural state. 5. If any facilities must be relocated, provide planning studies as well as design and appropriate replacement with minimal impact on park use. 6. Inventory and record affected historic structures. Provide appropriate mitigation for adverse effects to historic structures. 7. Require appropriate vehicle cleaning for all construction equipment used near units of the California State Park System to protect against spreading exotic plants or disease. 8. Use local native plants for revegetation. 9. Design and construct cuts, fills, and aerial structures to avoid and minimize visual impact to units of the State Park System. 10. In addressing impacts to wildlife movement corridors and habitat directly related to California State Park System units, consult with the California Department of Parks and Recreation. 11. Incorporate wildlife under- or overcrossings as necessary. 12. Adopt construction practices to protect critical wildlife corridors and visitor use areas within public parks.

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2 PUBLIC SCOPING MEETING
3 CALIFORNIA HIGH-SPEED TRAIN SYSTEM
4 LOS ANGELES TO SAN DIEGO VIA THE INLAND EMPIRE
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9 THURSDAY OCTOBER 22, 2009

10 3:00 P.M. TO 7:00 P.M.
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12
13

14 HELD AT
15 CESAR CHAVEZ COMMUNITY CENTER
16 2060 UNIVERSITY AVENUE
17 RIVERSIDE, CALIFORNIA
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25 Pages 1 - 5

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2 Comments by:

3 1. Judy Salazar

4 2. Steve Enna

5 3. Ned Ibrahim

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1 RIVERSIDE, CALIFORNIA, THURSDAY OCTOBER 22, 2009,

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3 MS. SALAZAR: I just want to say that the meeting
4 is very interesting. I have been reading about it in
5 the paper and following through with it. Resident of
6 Riverside all my life. I would like to see it go along
7 the corridor of the 215 free way. I prefer the 215.

8 MR. ENNA: Here are my comments on it.

9 Number 1, you're going to have to limit the
10 stations. Otherwise you might as well build a
11 Metrolink, because the whole purpose of a high-speed
12 train is to have limited access so that you can go
13 faster.

14 Second thing is if you do that, then you have
15 to have light rail and buses to augment it so you can
16 get the people from and to the high-speed train.

17 And third, I like the 215 option. It makes
18 more sense: Easier to construct; the land is not
19 impacted; there's a lot of open space. And it will be
20 easier to control.

21 MR. IBRAHIM: I live in Riverside. I am a retired
22 engineer. Was the Assistant Public Works Director for
23 the City of Corona.

24 Obviously this is a tremendously important
25 project for the State and for the region. Just looking

1 at the maps here without looking at all the details,
2 because there are no details, the purple alignment,
3 which is the I-10/215, the one that is through East
4 Riverside seems to be positioned to serve where the most
5 concentration of population and commerce and future
6 growth for the western Riverside County is, and that
7 would be my choice, without looking at the rest of the
8 facts of course.

9 The station near UCR, in addition to the one
10 by Cal Poly Pomona, are really critical. These are huge
11 campuses, and obviously this kind of facility being a
12 high speed facility, should really be looked at as an
13 Interstate, as if it was a freeway. There shouldn't be
14 too many stops. Otherwise it ceases to be an intrastate
15 system. You cannot have a stop in every little town.

16 And certainly there would be opportunities.
17 It's like when you build a new freeway. There will be
18 opportunities to feed into the system through light rail
19 or Metrolink in addition to the highway system.

20 But I am for the purple alignment that seems
21 to be just positioned exactly where I think it needs to
22 be in relation to the freeway system and the population,
23 where the growth is for the County.

24 (end of comments)

25

2 COUNTY OF LOS ANGELES)

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6 That the Transcript of Proceedings was taken
7 down by me in shorthand at the time and place therein
8 named, at which times the witnesses were placed under
9 oath and were sworn by me to tell the truth, the whole
0 truth, and nothing but the truth;

14 I further certify that I am neither counsel
15 for any party in said action, nor am I related to any
16 party to said action, nor am I in any way interested in
17 the outcome thereof.

20

21

22

23 RUBEN GARCIA, CSR No. 11305

24

25



COMMUNITY PLANS AND LIAISON
MARINE CORPS AIR STATION, MIRAMAR
BOX 452001
SAN DIEGO, CALIFORNIA 92145-2001

FAX TRANSMISSION COVER SHEET

Tel. (858) 577-6603 DSN: 267-6603 • Fax. (858) 577-6604 DSN: 267-6604

Date: 11/9/2009
From: Community Plans & Liaison Office, MCAS Miramar
To: Mr. Dan Leavitt, Deputy Director
Office: California High-Speed Rail Authority
Fax: 916 322 0827
Subject: Project EIR/EIS Public Scoping Meetings Comments

YOU SHOULD RECEIVE 6 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU
DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (858) 577-6603.

Remarks:

RE: Los Angeles to San Diego via Inland Empire Section HST Project EIR/EIS

Mr. Leavitt,

The following are comments from the Commanding Officer at Marine Corps Air Station Miramar regarding the proposed alignments shown at public scoping meetings in San Diego, California from October 13-15, 2009.

If you have any additional questions, please feel free to contact our office.



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION MIRAMAR
P.O. BOX 452001
SAN DIEGO, CA 92145-2001

11011
CPLO/HSR

05 NOV 2009

Mr. Dan Leavitt
Deputy Director, California High-Speed Rail Authority
ATTN Los Angeles to San Diego via Inland
Empire Section HST Project EIR/EIS
925 L Street Suite 1425
Sacramento, CA 95814

Dear Mr: Leavitt

SUBJECT: PROPOSED CALIFORNIA HIGH-SPEED TRAIN SYSTEM PROJECT
ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT
(EIR/EIS) PUBLIC SCOPING MEETING COMMENTS

This is in response to the public scoping meeting for the proposed California High-Speed Train System in San Diego County. As a member of this community, we support the expansion of mass transit and will continue to participate in the planning process for this region. To assist you in addressing the substantive context of our concerns, I have briefly summarized them below for your reference purposes. Previous statements provided to the San Diego Association of Governments (SANDAG) High-Speed Rail Task Force on May 13, 1999 are also provided for your convenience (enclosure (1)).

The proposed alignments occur within the Marine Corps Air Station (MCAS) Miramar Air Installations Compatible Use Zones (AICUZ) Area of Influence for land use planning purposes and beneath Federal Aviation Administration airspace surfaces associated with MCAS Miramar. As a result, any alignment alternatives in close proximity to MCAS Miramar would be directly affected by routine military operations and fixed and rotary-wing aircraft transiting to and from this installation. Of particular concern are the proposed alignment alternatives north of the base boundary that follow and/or intersect Miramar Road. These alignments are directly adjacent to or in close proximity to military family housing units as well as sensitive natural habitats in the vicinity of Eastgate Mall. The EIR should evaluate impacts to these resources as well as quality of life for military family members residing in affected housing. Furthermore, any disruption to federal infrastructure and services would also need to be identified and prevented, or mitigation measures implemented. The EIR must also evaluate the impacts associated with any alternatives that may limit the Marine Corp's ability to perform mission essential training and readiness requirements to meet national security objectives; we encourage dialogue with the Marine Corps to determine the extent of potential impacts to base operations.

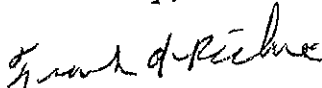
11011
CPLO/HSR

The EIR should examine noise, operational, and safety issues associated with the Miramar Road alternative. This proposed alternative would be in close proximity to the primary departure and arrival corridors, Field Carrier Landing Practice, Touch and Go and Ground Controlled Approach Flight patterns for Miramar operations, and thus, potentially subject to noise levels ranging from 65 to 80 decibels Community Noise Equivalent Level (CNEL). There is no effective mitigation for exterior noise from over-flight and the cumulative impacts of both the rail corridor traffic and transiting military aircraft should be examined further. The close proximity of these alignments to MCAS Miramar would also require a close examination of all electronic emissions to determine if there would be any interference with any air or land-based military operations. Any proposed tunneling along Miramar Road will necessitate close examination by the Department of Navy to determine whether any disruption of critical infrastructure (ex. fuel & natural gas lines) would negatively impact mission operations and create security concerns at MCAS Miramar and/or other Marine Corps and Navy facilities in San Diego County. Portions of the proposed alignments are within Accident Potential Zone (APZ) I, and the Marine Corps would need to closely examine all aspects of the high-speed rail system in order to make an informed determination of whether the proposed project would be a compatible land use in this area.

The EIR and any other studies should address all pending or potential transportation actions that could impact MCAS Miramar. Of particular concern to the Marine Corps is the analysis of Interstate 15 to Qualcomm Stadium and proposed acquisition of federal land for construction purposes. Any such needs would require that the Department of Defense (DoD) receive a formal written request from the California High-Speed Rail Authority to officially determine the viability of such a request and potential impacts to military operations at MCAS Miramar and in the San Diego County region.

Thank you for the opportunity to review this land use proposal. If we may be of any further assistance, please contact Ms. Laura Thornton at (858) 577-6603.

Sincerely,



FRANK A. RICHIE
Colonel, U. S. Marine Corps
Commanding Officer
Marine Corps Air Station Miramar

Enclosure: 1. SANDAG High-Speed Rail Task Force

DOD STATEMENT TO SANDAG TRANSPORTATION HIGH SPEED RAIL TASKFORCE
13 MAY 1999

On behalf of the United States Marine Corps, DOD expresses the following concerns about the three proposed routes for High-Speed Rail (HSR) line placement in San Diego County.

The following comments are general in nature and should not be used to infer a preferred alignment. Any effort to make use of Marine Corps' land for HSR that would limit or impact on the Marine Corps ability to perform its mission in any way would not be approved. These impacts could take the form of electronic interference to flight operations, interference with any of the airfield approach or safety surfaces required for airfield operations, encroachment on base boundaries that would impact family housing, quality of life, environmentally sensitive areas, other surface traffic patterns, or any other interference.

Formal approval or adoption of any preferred alternative, if determined to be feasible, could not occur until the High-Speed Rail Authority (HSRA) completes the Consolidated Land and Airspace Management Planning process with the MCAS Miramar staff. Guidance on this process has been provided to the HSRA

Enclosure (1)

ENCLOSURE (1)

and they are in touch with the MCAS Miramar planning organization.

Any routes along I-15, on either side, will encroach on and impact some extremely sensitive environmental areas including very high quality vernal pools and habitat for the California gnatcatcher. All environmental documents for proposed future work must carefully consider the impacts to these area and all environmental issues at MCAS Miramar. Close coordination with and study of the pending Integrated Natural Resources Management Plan, to be released during the summer of 1999, is required.

MCAS Miramar has a critical shortage of military family housing. An Environmental Impact Statement is currently being prepared to study several sites about the Air Station which have been identified as suitable for housing, with potential for well over 1,000 units and ancillary facilities. All of these sites may eventually be required for housing of military families. Any study of proposed rail facilities must consider and avoid environmental impact to these areas, particularly noise impacts and blocking of access to ingress and egress.

All environmental studies must address all pending or proposed transportation actions that may affect MCAS Miramar, including

Enclosure (1)

the proposed I-805 expansion and additional commuter rail
service and lines.

Enclosure (1)



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor



December 2, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L. Street, Suite 1425
Sacramento, CA 95814

Subject: Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire.

Dear Mr. Leavitt:

The Department of Fish and Game (Department) has reviewed the above-referenced Notice of Preparation (NOP), for a Draft Environmental Impact Report (DEIR), relative to impacts to biological resources. The California High-Speed Rail Authority will prepare a DEIR for project-level impacts throughout Los Angeles, Orange and San Diego Counties.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the Draft Environmental Impact Report:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats (Attachment 1). This should include a complete floral and faunal species compendium of the entire project site, undertaken at the appropriate time of year.
 - a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities.
 - b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.
 - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380).
 - d. The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12

Conserving California's Wildlife Since 1870

of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area must be addressed.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.
 - a. CEQA Guidelines, Section 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas are of concern to the Department and should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic, outdoor artificial lighting, noise and vibration.
 - c. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - d. Impacts to migratory wildlife affected by the project should be fully evaluated including proposals to removal/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory non-game birds as listed under the MBTA.
 - e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.
 - f. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- September 1) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500-foot buffer for all active raptor nests).
3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian

habitats, alluvial scrub, coastal sage scrub, Joshua tree woodlands, etc. should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

- a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed with offsite mitigation locations clearly identified.
 - b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (Attachment 2).
 - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
4. A California Endangered Species Act (CESA) incidental take permit is required if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:
 - a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan is required for plants listed as rare under the Native Plant Protection Act.
5. The Department opposes the elimination of watercourses (including concrete channels) and/or the canalization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations. The Department recommends a minimum natural buffer of 500 feet from the outside edge of the riparian zone on each side of a drainage.
 - a. The Department requires a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a SAA may be a project that is subject to CEQA. To facilitate our issuance of the Agreement when CEQA applies,

the Department as a responsible agency under CEQA may consider the local jurisdiction's (Lead Agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

6. Project Specific Comments to be addressed in the Draft Environmental Impact Report.

Consistency with Existing and Draft Regional Conservation Plans

The Department believes that a linear project of this magnitude, extending through diverse and biologically rich habitats, merits a thorough discussion regarding the impacts that the High-Speed Train (HST) System (including connected actions and alternatives) could have on meeting the goals and objectives articulated in existing and draft Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) efforts. It is the policy of the Department to promote and foster the development of planning strategies at the ecosystem level through active participation in local development of regional NCCP/HCP's, which often include innovative multiple species habitat conservation planning efforts (e.g., Multiple Species Conservation Program (MSCP)). The success of these plans is reliant on maintaining core biological resource areas and habitat linkages that are essential to the long-term biological viability of associated flora and fauna. Therefore, the Project EIR/EIS needs to provide a thorough discussion/analysis on this topic. We believe the proposed project could cause excessive impacts and loss of biologically sensitive lands and resources within those portions of County affected by the HST System. These lands (associated with the aforementioned MSCP) are being conserved and managed for a variety of purposes including: (a) preservation and protection of rare and sensitive habitats; (b) conservation of wildlife dependent upon those habitats; (c) restoration of habitat; (d) creation of habitat (e.g., wetland habitat); (e) management of natural resources; (f) scientific research; and (g) long-term monitoring of plants and animals associated with the lands. The Department strongly recommends providing a separate discussion in the Project EIR/EIS to identify the proposed project's effects (including connected actions and alternatives) on conservation strategies that are outlined within existing or draft NCCP/HCP's (i.e., City of San Diego's MSCP Subarea Plan and County of San Diego's draft North County MSCP). We would emphasize that the success of these NCCP/HCP's is also dependent on the coordination of participating local jurisdictions and other entities to ensure that there are interconnected, contiguous preserves that meet the survival and recovery needs of multiple species in perpetuity. Federal and State Incidental Take Permits (ITPs) for endangered/threatened species have been issued to local jurisdictions within San Diego County based upon plan conservation levels and conserved habitat configuration. If those conservation levels, and the locations of conserved lands, are significantly altered by the HST project, then ITPs for the NCCP plans may have to be modified. This could potentially affect a much broader area than just the footprint of the HST project, as the jurisdictions rely upon the plan ITPs to address take of listed species throughout their jurisdictional areas. A thorough analysis of the regulatory impacts of the HST system needs to also be included in the EIR/EIS.

We would encourage the HST System incorporate the goals, objectives, and preserve design criteria associated with the NCCP/HCP's; absent consideration in these areas could severely compromise the biological functions and values and geographical integrity these plans were envisioned to achieve. For example, the proposed project, as currently designed, may significantly affect biological core viability in designated preserve areas (i.e., habitat fragmentation via physical barrier between designated preserve areas and associated linkages/corridors). We recommend that every effort be directed at evaluating and considering alternative routes that clearly avoid and minimize impacts to native vegetation communities and associated species. This can partially be accomplished by adherence to the conservation objectives identified within approved and draft NCCP/HCP subarea plans that the HST System would bisect and then applying the principle conservation strategies outlined within those plans. Consequently, consistency with the overarching goals, objectives, and conditions set forth by all applicable plans will ensure conservation of the biological resources, sensitive habitats, and high biological diversity of the region.

Adequacy of Environmental Review under CEQA

The Department is particularly interested in the Project EIR/EIS thoroughly describing "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives," as required by Section 15126.6 (a) of the CEQA Guidelines. The discussion must include alternatives, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (Section 15126.6 [b] of the CEQA Guidelines). In order for the Department to utilize the final document as a responsible agency, the alternatives must include those which avoid or otherwise minimize impacts to sensitive biological resources that are regulated by Fish and Game Code. The authority must ensure that in the process of determining the improvements that will ultimately be developed into projects, those alternatives which would avoid or minimize impacts to biological resources are not precluded at the Project EIR/EIS stage. Due to the highly developed nature of portions of this corridor, the remaining fish and wildlife resources are already highly constrained. These resources should be identified in the Project EIR/EIS, and alternatives developed that will retain existing resources; alternatives which provide opportunities to improve the existing conditions should also be explored, and evaluated in a regional context in the Project EIR/EIS. This includes water quality and wildlife movement corridors that have been degraded in the past and that could be improved through the design and incorporation of appropriate features within the HST System corridor.

Biological impacts, associated mitigation measures, and mitigation requirements

Adequate mitigation plans require a detailed project impact analysis, which in turn relies upon accurate and up-to-date biological assessments of resources that may be affected by the proposed project. In the case of the HST project, detailed biological surveys of primary and alternative routes must be conducted. A regional-scale assessment and impact analysis is not adequate. A priority should be directed at formulating mitigation measures that avoid and minimize direct and indirect biological impacts. The Project EIR/EIS should clearly commit that impacts to habitats

occupied by listed species would be offset through the preservation of occupied habitat of equal or greater conservation value than the habitat impacted, with the final determination to be made in cooperation with the Department. Any unmitigable impacts to sensitive species and unique habitat types should be considered significant under the CEQA. Measures to adequately mitigate for significant impacts should be articulated and analyzed in the Project EIR/EIS. Further, to be considered legally adequate under CEQA, mitigation measures must be capable of rectifying the impact by repairing, rehabilitating, or restoring the impacted environment and/or reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action (CEQA Guidelines, §15370). For each significant effect, the Project EIR/EIS must identify specific measures and articulate the potential mitigation measures that are available (e.g., identify the specific location where impacts for each species and/or habitat would take place and the acreage of mitigation available for each potential mitigation site). Each measure should be discussed separately, and the reasons for choosing one over the other should be stated.

In addition to complying with CEQA requirements, the project will require consultation with the Department under the California Endangered Species Act (CESA) should any State-listed species be impacted by the project. State ITPs will be required if such impacts occur, and the project must meet the "fully mitigated" standard that is required under CESA.

The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Ms. Kelly Schmoker, Staff Environmental Scientist, at (626) 848-8382.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Edmund Pert', is written over a light blue circular stamp.

Edmund Pert
Regional Manager
South Coast Region

cc: Ms. Helen Birss, Los Alamitos
Ms. Terri Dickerson, Laguna Niguel
Ms. Kelly Schmoker, Pasadena
Mr. Scott Harris, Pasadena
State Clearinghouse, Sacramento

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities

State of California
CALIFORNIA NATURAL RESOURCES AGENCY
Department of Fish and Game
November 24, 2009¹

INTRODUCTION AND PURPOSE

The conservation of special status native plants and their habitats, as well as natural communities, is integral to maintaining biological diversity. The purpose of these protocols is to facilitate a consistent and systematic approach to the survey and assessment of special status native plants and natural communities so that reliable information is produced and the potential of locating a special status plant species or natural community is maximized. They may also help those who prepare and review environmental documents determine when a botanical survey is needed, how field surveys may be conducted, what information to include in a survey report, and what qualifications to consider for surveyors. The protocols may help avoid delays caused when inadequate biological information is provided during the environmental review process; assist lead, trustee and responsible reviewing agencies to make an informed decision regarding the direct, indirect, and cumulative effects of a proposed development, activity, or action on special status native plants and natural communities; meet California Environmental Quality Act (CEQA)² requirements for adequate disclosure of potential impacts; and conserve public trust resources.

DEPARTMENT OF FISH AND GAME TRUSTEE AND RESPONSIBLE AGENCY MISSION

The mission of the Department of Fish and Game (DFG) is to manage California's diverse wildlife and native plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. DFG has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (Fish and Game Code §1802). DFG, as trustee agency under CEQA §15386, provides expertise in reviewing and commenting on environmental documents and makes protocols regarding potential negative impacts to those resources held in trust for the people of California.

Certain species are in danger of extinction because their habitats have been severely reduced in acreage, are threatened with destruction or adverse modification, or because of a combination of these and other factors. The California Endangered Species Act (CESA) provides additional protections for such species, including take prohibitions (Fish and Game Code §2050 *et seq.*). As a responsible agency, DFG has the authority to issue permits for the take of species listed under CESA if the take is incidental to an otherwise lawful activity; DFG has determined that the impacts of the take have been minimized and fully mitigated; and, the take would not jeopardize the continued existence of the species (Fish and Game Code §2081). Surveys are one of the preliminary steps to detect a listed or special status plant species or natural community that may be impacted significantly by a project.

DEFINITIONS

Botanical surveys provide information used to determine the potential environmental effects of proposed projects on all special status plants and natural communities as required by law (i.e., CEQA, CESA, and Federal Endangered Species Act (ESA)). Some key terms in this document appear in **bold font** for assistance in use of the document.

For the purposes of this document, **special status plants** include all plant species that meet one or more of the following criteria³:

¹ This document replaces the DFG document entitled "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened and Endangered Plants and Natural Communities."

² <http://ceres.ca.gov/ceqa/>

³ Adapted from the East Alameda County Conservation Strategy available at http://www.fws.gov/sacramento/EACCS/Documents/080228_Species_Evaluation_EACCS.pdf

- Listed or proposed for listing as threatened or endangered under ESA or candidates for possible future listing as threatened or endangered under the ESA (50 CFR §17.12).
- Listed⁴ or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 *et seq.*). A species, subspecies, or variety of plant is **endangered** when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is **threatened** when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).
- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 *et seq.*). A plant is **rare** when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens (Fish and Game Code §1901).
- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the definition of rare or endangered include the following:
 - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);
 - Species that may warrant consideration on the basis of local significance or recent biological information⁵;
 - Some species included on the California Natural Diversity Database's (CNDDDB) *Special Plants, Bryophytes, and Lichens List* (California Department of Fish and Game 2008)⁶.
- Considered a **locally significant species**, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Special status natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status species or their habitat. The most current version of the Department's *List of California Terrestrial Natural Communities*⁷ indicates which natural communities are of special status given the current state of the California classification.

Most types of wetlands and riparian communities are considered special status natural communities due to their limited distribution in California. These natural communities often contain special status plants such as those described above. These protocols may be used in conjunction with protocols formulated by other agencies, for example, those developed by the U.S. Army Corps of Engineers to delineate jurisdictional wetlands⁸ or by the U.S. Fish and Wildlife Service to survey for the presence of special status plants⁹.

⁴ Refer to current online published lists available at: <http://www.dfg.ca.gov/biogeodata>.

⁵ In general, CNPS List 3 plants (plants about which more information is needed) and List 4 plants (plants of limited distribution) may not warrant consideration under CEQA §15380. These plants may be included on special status plant lists such as those developed by counties where they would be addressed under CEQA §15380. List 3 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a List 4 plant are significant even if individual project impacts are not. List 3 and 4 plants are also included in the California Natural Diversity Database's (CNDDDB) *Special Plants, Bryophytes, and Lichens List*. [Refer to the current online published list available at: <http://www.dfg.ca.gov/biogeodata>.] Data on Lists 3 and 4 plants should be submitted to CNDDDB. Such data aids in determining or revising priority ranking.

⁶ Refer to current online published lists available at: <http://www.dfg.ca.gov/biogeodata>.

⁷ <http://www.dfg.ca.gov/biogeodata/vegcomp/pdfs/natcomlist.pdf>. The rare natural communities are asterisked on this list.

⁸ <http://www.wetlands.com/regs/ltpge02e.htm>

⁹ U.S. Fish and Wildlife Service Survey Guidelines available at <http://www.fws.gov/sacramento/es/protocol.htm>

BOTANICAL SURVEYS

Conduct botanical surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- Natural (or naturalized) vegetation occurs on the site, and it is unknown if special status plant species or natural communities occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- Special status plants or natural communities have historically been identified on the project site; or
- Special status plants or natural communities occur on sites with similar physical and biological properties as the project site.

SURVEY OBJECTIVES

Conduct field surveys in a manner which maximizes the likelihood of locating special status plant species or special status natural communities that may be present. Surveys should be **floristic in nature**, meaning that every plant taxon that occurs on site is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status species or are restricted to lists of likely potential species are not considered floristic in nature and are not adequate to identify all plant taxa on site to the level necessary to determine rarity and listing status. Include a list of plants and natural communities detected on the site for each botanical survey conducted. More than one field visit may be necessary to adequately capture the floristic diversity of a site. An indication of the prevalence (estimated total numbers, percent cover, density, etc.) of the species and communities on the site is also useful to assess the significance of a particular population.

SURVEY PREPARATION

Before field surveys are conducted, compile relevant botanical information in the general project area to provide a regional context for the investigators. Consult the CNDDDB¹⁰ and BIOS¹¹ for known occurrences of special status plants and natural communities in the project area prior to field surveys. Generally, identify vegetation and habitat types potentially occurring in the project area based on biological and physical properties of the site and surrounding ecoregion¹², unless a larger assessment area is appropriate. Then, develop a list of special status plants with the potential to occur within these vegetation types. This list can serve as a tool for the investigators and facilitate the use of reference sites; however, special status plants on site might not be limited to those on the list. Field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on this list. Include in the survey report the list of potential special status species and natural communities, and the list of references used to compile the background botanical information for the site.

SURVEY EXTENT

Surveys should be comprehensive over the entire site, including areas that will be directly or indirectly impacted by the project. Adjoining properties should also be surveyed where direct or indirect project effects, such as those from fuel modification or herbicide application, could potentially extend offsite. Pre-project surveys restricted to known CNDDDB rare plant locations may not identify all special status plants and communities present and do not provide a sufficient level of information to determine potential impacts.

FIELD SURVEY METHOD

Conduct surveys using **systematic field techniques** in all habitats of the site to ensure thorough coverage of potential impact areas. The level of effort required per given area and habitat is dependent upon the vegetation and its overall diversity and structural complexity, which determines the distance at which plants can be identified. Conduct surveys by walking over the entire site to ensure thorough coverage, noting all plant taxa

¹⁰ Available at <http://www.dfg.ca.gov/biogeodata/cnddb>

¹¹ <http://www.bios.dfg.ca.gov/>

¹² Ecological Subregions of California, available at <http://www.fs.fed.us/r5/projects/ecoregions/toc.htm>

observed. The level of effort should be sufficient to provide comprehensive reporting. For example, one person-hour per eight acres per survey date is needed for a comprehensive field survey in grassland with medium diversity and moderate terrain¹³, with additional time allocated for species identification.

TIMING AND NUMBER OF VISITS

Conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting. Space visits throughout the growing season to accurately determine what plants exist on site. Many times this may involve multiple visits to the same site (e.g. in early, mid, and late-season for flowering plants) to capture the floristic diversity at a level necessary to determine if special status plants are present¹⁴. The timing and number of visits are determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which the surveys are conducted.

REFERENCE SITES

When special status plants are known to occur in the type(s) of habitat present in the project area, observe reference sites (nearby accessible occurrences of the plants) to determine whether those species are identifiable at the time of the survey and to obtain a visual image of the target species, associated habitat, and associated natural community.

USE OF EXISTING SURVEYS

For some sites, floristic inventories or special status plant surveys may already exist. Additional surveys may be necessary for the following reasons:

- Surveys are not current¹⁵; or
- Surveys were conducted in natural systems that commonly experience year to year fluctuations such as periods of drought or flooding (e.g. vernal pool habitats or riverine systems); or
- Surveys are not comprehensive in nature; or fire history, land use, physical conditions of the site, or climatic conditions have changed since the last survey was conducted¹⁶; or
- Surveys were conducted in natural systems where special status plants may not be observed if an annual above ground phase is not visible (e.g. flowers from a bulb); or
- Changes in vegetation or species distribution may have occurred since the last survey was conducted, due to habitat alteration, fluctuations in species abundance and/or seed bank dynamics.

NEGATIVE SURVEYS

Adverse conditions may prevent investigators from determining the presence of, or accurately identifying, some species in potential habitat of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any given year. Discuss such conditions in the report.

The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. For example, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. Visits to the site in more

¹³ Adapted from U.S. Fish and Wildlife Service kit fox survey guidelines available at www.fws.gov/sacramento/es/documents/kitfox_no_protocol.pdf

¹⁴ U.S. Fish and Wildlife Service Survey Guidelines available at <http://www.fws.gov/sacramento/es/protocol.htm>

¹⁵ Habitats, such as grasslands or desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment. In forested areas, however, surveys at intervals of five years may adequately represent current conditions. For forested areas, refer to "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at <https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf>

¹⁶ U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate.

REPORTING AND DATA COLLECTION

Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities¹⁷ and will guide the development of minimization and mitigation measures. The next section describes necessary information to assess impacts. For comprehensive, systematic surveys where no special status species or natural communities were found, reporting and data collection responsibilities for investigators remain as described below, excluding specific occurrence information.

SPECIAL STATUS PLANT OR NATURAL COMMUNITY OBSERVATIONS

Record the following information for locations of each special status plant or natural community detected during a field survey of a project site.

- A detailed map (1:24,000 or larger) showing locations and boundaries of each special status species occurrence or natural community found as related to the proposed project. Mark occurrences and boundaries as accurately as possible. Locations documented by use of global positioning system (GPS) coordinates must include the datum¹⁸ in which they were collected;
- The site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material. If the species is associated with a wetland, provide a description of the direction of flow and integrity of surface or subsurface hydrology and adjacent off-site hydrological influences as appropriate;
- The number of individuals in each special status plant population as counted (if population is small) or estimated (if population is large);
- If applicable, information about the percentage of individuals in each life stage such as seedlings vs. reproductive individuals;
- The number of individuals of the species per unit area, identifying areas of relatively high, medium and low density of the species over the project site; and
- Digital images of the target species and representative habitats to support information and descriptions.

FIELD SURVEY FORMS

When a special status plant or natural community is located, complete and submit to the CNDDDB a California Native Species (or Community) Field Survey Form¹⁹ or equivalent written report, accompanied by a copy of the relevant portion of a 7.5 minute topographic map with the occurrence mapped. Present locations documented by use of GPS coordinates in map and digital form. Data submitted in digital form must include the datum²⁰ in which it was collected. If a potentially undescribed special status natural community is found on the site, document it with a Rapid Assessment or Relevé form²¹ and submit it with the CNDDDB form.

VOUCHER COLLECTION

Voucher specimens provide verifiable documentation of species presence and identification as well as a public record of conditions. This information is vital to all conservation efforts. Collection of voucher specimens should

¹⁷ Refer to current online published lists available at: <http://www.dfg.ca.gov/biogeodata>. For Timber Harvest Plans (THPs) please refer to the "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at <https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf>

¹⁸ NAD83, NAD27 or WGS84

¹⁹ <http://www.dfg.ca.gov/biogeodata>

²⁰ NAD83, NAD27 or WGS84

²¹ http://www.dfg.ca.gov/biogeodata/vegcamp/veg_publications_protocols.asp

be conducted in a manner that is consistent with conservation ethics, and is in accordance with applicable state and federal permit requirements (e.g. incidental take permit, scientific collection permit). Voucher collections of special status species (or suspected special status species) should be made only when such actions would not jeopardize the continued existence of the population or species.

Deposit voucher specimens with an indexed regional herbarium²² no later than 60 days after the collections have been made. Digital imagery can be used to supplement plant identification and document habitat. Record all relevant permittee names and permit numbers on specimen labels. A collecting permit is required prior to the collection of State-listed plant species²³.

BOTANICAL SURVEY REPORTS

Include reports of botanical field surveys containing the following information with project environmental documents:

- **Project and site description**
 - ♦ A description of the proposed project;
 - ♦ A detailed map of the project location and study area that identifies topographic and landscape features and includes a north arrow and bar scale; and,
 - ♦ A written description of the biological setting, including vegetation²⁴ and structure of the vegetation; geological and hydrological characteristics; and land use or management history.
- **Detailed description of survey methodology and results**
 - ♦ Dates of field surveys (indicating which areas were surveyed on which dates), name of field investigator(s), and total person-hours spent on field surveys;
 - ♦ A discussion of how the timing of the surveys affects the comprehensiveness of the survey;
 - ♦ A list of potential special status species or natural communities;
 - ♦ A description of the area surveyed relative to the project area;
 - ♦ References cited, persons contacted, and herbaria visited;
 - ♦ Description of reference site(s), if visited, and phenological development of special status plant(s);
 - ♦ A list of all taxa occurring on the project site. Identify plants to the taxonomic level necessary to determine whether or not they are a special status species;
 - ♦ Any use of existing surveys and a discussion of applicability to this project;
 - ♦ A discussion of the potential for a false negative survey;
 - ♦ Provide detailed data and maps for all special plants detected. Information specified above under the headings "Special Status Plant or Natural Community Observations," and "Field Survey Forms," should be provided for locations of each special status plant detected;
 - ♦ Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms should be sent to the CNDDDB and included in the environmental document as an Appendix. It is not necessary to submit entire environmental documents to the CNDDDB; and,
 - ♦ The location of voucher specimens, if collected.

²² For a complete list of indexed herbaria, see: Holmgren, P., N. Holmgren and L. Barnett. 1990. Index Herbariorum, Part 1: Herbaria of the World. New York Botanic Garden, Bronx, New York. 693 pp. Or: <http://www.nybg.org/bsci/ih/ih.html>

²³ Refer to current online published lists available at: <http://www.dfg.ca.gov/bio/geodata>.

²⁴ A vegetation map that uses the National Vegetation Classification System (<http://biology.usgs.gov/npsveg/nvcs.html>), for example A *Manual of California Vegetation*, and highlights any special status natural communities. If another vegetation classification system is used, the report should reference the system, provide the reason for its use, and provide a crosswalk to the National Vegetation Classification System.

- **Assessment of potential impacts**
 - A discussion of the significance of special status plant populations in the project area considering nearby populations and total species distribution;
 - A discussion of the significance of special status natural communities in the project area considering nearby occurrences and natural community distribution;
 - A discussion of direct, indirect, and cumulative impacts to the plants and natural communities;
 - A discussion of threats, including those from invasive species, to the plants and natural communities;
 - A discussion of the degree of impact, if any, of the proposed project on unoccupied, potential habitat of the species;
 - A discussion of the immediacy of potential impacts; and,
 - Recommended measures to avoid, minimize, or mitigate impacts.

QUALIFICATIONS

Botanical consultants should possess the following qualifications:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- Experience with analyzing impacts of development on native plant species and natural communities.

SUGGESTED REFERENCES

- Barbour, M., T. Keeler-Wolf, and A. A. Schoenherr (eds.). 2007. Terrestrial vegetation of California (3rd Edition). University of California Press.
- Bonham, C.D. 1988. Measurements for terrestrial vegetation. John Wiley and Sons, Inc., New York, NY.
- California Native Plant Society. Most recent version. Inventory of rare and endangered plants (online edition). California Native Plant Society, Sacramento, CA. Online URL <http://www.cnps.org/inventory>.
- California Natural Diversity Database. Most recent version. Special vascular plants, bryophytes and lichens list. Updated quarterly. Available at www.dfg.ca.gov.
- Elzinga, C.L., D.W. Salzer, and J. Willoughby. 1998. Measuring and monitoring plant populations. BLM Technical Reference 1730-1. U.S. Dept. of the Interior, Bureau of Land Management, Denver, Colorado.
- Leppig, G. and J.W. White. 2006. Conservation of peripheral plant populations in California. *Madroño* 53:264-274.
- Mueller-Dombois, D. and H. Ellenberg. 1974. Aims and methods of vegetation ecology. John Wiley and Sons, Inc., New York, NY.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed plants on the Santa Rosa Plain. Sacramento, CA.
- U.S. Fish and Wildlife Service. 1996. Guidelines for conducting and reporting botanical inventories for federally listed, proposed and candidate plants. Sacramento, CA.
- Van der Maarel, E. 2005. Vegetation Ecology. Blackwell Science Ltd., Malden, MA.

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Fewer than 6 known locations and/or on fewer than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh

S1.2	<p>Southern Foredunes</p> <p>Mono Pumice Flat</p> <p>Southern Interior Basalt Flow Vernal Pool</p>
S2.1	<p>Venturan Coastal Sage Scrub</p> <p>Diegan Coastal Sage Scrub</p> <p>Riversidean Upland Coastal Sage Scrub</p> <p>Riversidean Desert Sage Scrub</p> <p>Sagebrush Steppe</p> <p>Desert Sink Scrub</p> <p>Mafic Southern Mixed Chaparral</p> <p>San Diego Mesa Hardpan Vernal Pool</p> <p>San Diego Mesa Claypan Vernal Pool</p> <p>Alkali Meadow</p> <p>Southern Coastal Salt Marsh</p> <p>Coastal Brackish Marsh</p> <p>Transmontane Alkali Marsh</p> <p>Coastal and Valley Freshwater Marsh</p> <p>Southern Arroyo Willow Riparian Forest</p> <p>Southern Willow Scrub</p> <p>Modoc-Great Basin Cottonwood Willow Riparian</p> <p>Modoc-Great Basin Riparian Scrub</p> <p>Mojave Desert Wash Scrub</p> <p>Engelmann Oak Woodland</p> <p>Open Engelmann Oak Woodland</p> <p>Closed Engelmann Oak Woodland</p> <p>Island Oak Woodland</p> <p>California Walnut Woodland</p> <p>Island Ironwood Forest</p> <p>Island Cherry Forest</p> <p>Southern Interior Cypress Forest</p> <p>Bigcone Spruce-Canyon Oak Forest</p>
S2.2	<p>Active Coastal Dunes</p> <p>Active Desert Dunes</p> <p>Stabilized and Partially Stabilized Desert Dunes</p> <p>Stabilized and Partially Stabilized Desert Sandfield</p> <p>Mojave Mixed Steppe</p> <p>Transmontane Freshwater Marsh</p> <p>Coulter Pine Forest</p> <p>Southern California Fellfield</p> <p>White Mountains Fellfield</p>
S2.3	<p>Bristlecone Pine Forest</p> <p>Limber Pine Forest</p>



DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

5816 Corporate Avenue • Suite 200 • CYPRESS, CALIFORNIA, 90630-4731

PHONE 714 / 816-6847 • FAX 714 / 816-6853 • WEBSITE conservation.ca.gov

October 29, 2009

Mr. Dan Leavitt, Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814



Subject: Notice of Preparation of a Draft Environmental Impact
Report/Environmental Impact Statement for the California High-Speed
Train Project From Los Angeles to San Diego via the Inland Empire, CA

Dear Mr. Leavitt:

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) as a Participating Agency, has reviewed the above referenced Notice of Preparation for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA. We offer the following comments for your consideration.

The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and plugging and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy; and (4) damage to oil and gas deposits by infiltrating water and other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor (Supervisor) the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable methods for the purpose of increasing the ultimate recovery of oil and gas.

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4, of the California Code of Regulations.

The proposed project passes through the administrative boundaries of the Montebello and Rowland oil fields as well as the counties of Los Angeles, Riverside, San Bernardino and San Diego. There are numerous active, idle, plugged and abandoned wells within or in proximity to the project boundaries. The wells are identified on Division maps and in Division records. The Division recommends that all wells within or in close proximity to project boundaries be accurately plotted on future project maps.

Mr. Dan Leavitt, California High-Speed Rail Authority

October 29, 2009

Page 2

Building over or in the proximity of idle or plugged and abandoned wells should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current Division specifications. Also, the State Oil and Gas Supervisor is authorized to order the reabandonment of previously plugged and abandoned wells when construction over or in the proximity of wells could result in a hazard (Section 3208.1 of the Public Resources Code). If abandonment or reabandonment is necessary, the cost of operations is the responsibility of the owner of the property upon which the structure will be located. Finally, if construction over an abandoned well is unavoidable an adequate gas venting system should be placed over the well.

Furthermore, if any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

To ensure proper review of building projects, the Division has published an informational packet entitled, "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for review. Developers should contact the Division Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction.

Thank you for the opportunity to comment on the Notice of Preparation. If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, CA 90630-4731; phone (714) 816-6847.

Sincerely,



Paul Frost
Associate Oil & Gas Engineer
Division of Oil, Gas and Geothermal Resources
District 1 - Cypress

cc: State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Adele Lagomarsino – Division Headquarters
Sacramento

DEPARTMENT OF TRANSPORTATION

DISTRICT 11 PLANNING DIVISION
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November 19, 2009

11-SD-15
PM R54.258
NOP/NOI EIR/EIS
SCH 2009091070

Mr. Dan Leavitt
Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: California High-Speed Train Notice of Preparation (NOP)/Notice of Intent (NOI)

Dear Mr. Leavitt:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Notice of Preparation (NOP)/Notice of Intent (NOI) as part of the preparation of the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project (HST) segment from Los Angeles to San Diego via the Inland Empire. It should be noted this correspondence is a coordinated effort between Caltrans Districts 7, 8, and 11.

The primary area of concern pertains to the potential for construction and operational impacts of the project on the State Highway System (SHS). The design of the project within and near the SHS must be coordinated with Caltrans to ensure all physical and operational impacts on the SHS are mitigated. To that end, the California High Speed Rail Authority (Authority) has invited Caltrans to be a participating agency in the analysis of project alternatives and environmental studies. The invitation has been accepted and Caltrans has been developing a Master Agreement (MA) with the Authority to document the intent of the two agencies to work together.

The MA covers a number of specific topics relative to the studies and investigations affecting the SHS. While the MA has not been fully executed, it is the understanding that all work to be performed in the Caltrans rights-of-way (R/W) will be completed according to Caltrans standards (Policies and Procedures). Caltrans has reviewed the Authority's Project-Level Environmental Methodologies and the Alternative Analysis Methodologies documents. Caltrans understands that the Authority is proposing to use both of these documents as technical guides in performing the environmental analysis for the HST Project.

The following comments focus on areas that need to be addressed in the environmental documents regarding the implementation of the HST project and the potential impacts to both State facilities and the surrounding local jurisdictional areas.

Coordination with Regional and Local Partners

The Authority has executed a Memorandum of Understanding (MOU), contract number 5001186, by and between the Authority, San Diego Association of Governments (SANDAG), Southern California Association of Governments (SCAG), San Bernardino Associated Governments (SANBAG), Riverside County Transportation Commission (RCTC) and San Diego County Regional Airport Authority for preparation of studies for the Los Angeles to San Diego via Inland Empire proposed High-Speed Passenger Rail Corridor and the Regional Air-Rail Network. Continued coordination with these agencies, local jurisdictions, and Caltrans will help assure that the impacts of the planned project are fully disclosed to affected communities. It is emphasized that the Authority works closely with the regional and local jurisdictions to provide community involvement to encourage ownership in the proposed HST Project.

Coordination with Planned Regional Transportation Plan Projects

It is important that the Authority consider currently planned and future transportation projects along State highway facilities during all phases of project development. Transit improvements to increase mobility throughout the SHS should also be considered during all phases of project development. Planned and future projects potentially affected by the proposed HST segment in Districts 7, 8, and 11 are identified in the SCAG Regional Transportation Plan (RTP), adopted in 2008, the Regional Transportation Improvement Program (RTIP), Metro's Long Range Transportation Plan (LRTP) and the 2030 Regional Transportation Plan (RTP) adopted by the SANDAG in 2008 are the blueprint for transportation projects in the region.

Specific planned and future transportation improvements along the HST corridor include, but are not limited to those identified in Attachment A. Current updating of regional plans that will cover the region's traffic needs to the year 2050 could change the corridor specifics listed in Attachment A.

Traffic Impact Analysis

The planned project includes new HST Stations that will result in traffic circulation reconfiguration and a traffic volume increase accessing the HST stations. The impacts to the SHS should be included in the Traffic Impact Study (TIS).

A TIS must also include the proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to include the appropriate mitigation measures.

The study guideline is located at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

Affected State-owned signalized intersections can be found in the Caltrans Highway Design Manual, Chapter 400 Topic 406, page 400-33 for intersecting lane vehicle (ILV) analysis. The *Caltrans Guide for the Preparation of Traffic Impact Studies* allows for the use of the Highway Capacity Manual method for signalized intersection analysis.

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips, the Caltrans maximum limit (100 peak hour trips). State highway facilities that are already experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 (per TIS) peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps within the TIS study area should be analyzed.

The data used in the TIS should not be more than 2 years old.

Highway and rail maintenance protocols known as Construction and Maintenance agreements (C and M) will be developed where facilities overlap. Other agreements may be needed between the two agencies.

Caltrans endeavors that any direct and cumulative impacts to the State highway system be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) regulations.

Mitigation measures to State facilities should be included in the traffic impact analysis. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Upon adoption of traffic mitigation measures, the Authority shall monitor impacts to insure that roadway segments and intersections remain at an acceptable Level of Service (LOS), but in no case shall the improvements negatively affect the intersections. Should the LOS reach unacceptable levels, the HSRA should accelerate mitigation measures to fully mitigate impacts.

Alternatives Analysis and Preliminary Engineering

The Authority should coordinate with Caltrans regarding all alternatives impacting the State R/W.

Preliminary engineering plans for all alternatives should be submitted to Caltrans for evaluation and review. All future development adjacent to a State Route, whether the entitlement is deemed by the Authority to be discretionary or ministerial, should be submitted to Caltrans for review.

Community Impacts

All proposed HST stations should provide regional multi-modal connectivity and should be located at or near existing or planned smart growth areas. Also, the TIS must include the proposed HST stations impact analysis on the State and local transportation facilities.

Visual impact studies of the planned alignments and stations are required. The visual study should include the mitigation measures to the proposed change in views of the site and evaluate the impact of the proposed changes.

Airport Compatibility

The HST alignment and stations may have a direct impact on existing public-use airports. The transportation opportunities afforded to the traveling public and any potential change in the demand for airport facilities should be assessed.

In accordance with CEQA, Public Resources Code Section 21096, the Caltrans Airport Land Use Planning Handbook must be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or, if such a plan has not been adopted, within two miles of an airport. The Handbook is a resource that should be applied to all public use airports and is published on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/>.

Traffic Control Plan (TCP)

A TCP or construction traffic impact study is required by Caltrans for approval prior to construction for work within or adjacent to Caltrans R/W. The plans shall be prepared in accordance with Caltrans' manual – *Traffic Controls for Construction and Maintenance Work Zones*. Traffic restrictions and pedestrian/bicycle detours will also need to be addressed. All work proposed within the State R/W will require lane and shoulder Requirement Charts. All roadway features (e.g. signs, pavement delineation, roadway surface, etc.) within the State R/W must be protected, maintained in a temporary condition, and/or restored.

Transportation Management Plan (TMP)

A TMP will be required. The TMP must identify potential traffic delays and keep the delays to Caltrans maximum. Any proposed closures or detours during project construction must be

approved by the District Traffic Manager. Construction activities affecting the traveling public may be limited by the Lane Requirement Charts and by the use of engineering judgment. All bus and rail transit providers affected by the project should be notified well in advance of construction of the project in order to minimize any transit service disruptions.

Environmental

Caltrans will review and comment on the effects within and to the Caltrans right of way. All documents shall be sufficient for Caltrans' approval actions as necessary as a CEQA responsible agency, NEPA cooperating agency (if applicable) and that it does not conflict with Caltrans' owner-operator responsibilities. All environmental studies and documents prepared to address affects within and to the Caltrans right of way shall contain the same or equivalent level of environmental analysis at the Caltrans' Standard Environmental Reference (<http://www.dot.ca.gov/ser> and <http://www.dot.ca.gov/ser/forms.htm>).

The HSRA must address noise impacts caused by any changes in the vertical or horizontal alignment of a Caltrans roadway by following the Caltrans' Traffic Noise Analysis Protocol (August 2006).

The HSRA must also satisfy stormwater requirements by complying with the Caltrans Construction General Permit of July 1, 2010, the Caltrans MS-4 NPDES Permit, the Caltrans Stormwater Management Plan, and the Storm Water Quality Handbook - Project Planning and Design Guide (May 2007).

Encroachment/Project Development Work in Caltrans R/W

Any work performed within Caltrans R/W will require discretionary review and approval by Caltrans District in which it resides. Current policy allows Highway Improvement Projects costing \$1 million or less to follow the Caltrans Encroachment Permit process. Highway Improvement Projects costing greater than \$1 million but less than \$3 million would be allowed to follow a streamlined project development process similar to the Caltrans Encroachment Permit process.

Highway Improvement Projects priced at greater than \$3 million, or considered complex projects, would be required to adhere to the full Project Development Process (e.g. Project Initiation Documents, Project Study Reports, and Cooperative Agreements).

Construction within State Highway R/W must include the appropriate engineering plans consistent with Caltrans Standards and Specifications and signed and stamped by a professional engineer registered in the State of California. The Caltrans Permit Manual contains a listing of typical information required for project plans. All design and construction must be in conformance with the Americans with Disabilities Act (ADA) requirements. The authority will

not advertise the construction contract within Caltrans R/W until Caltrans issues an encroachment permit for the work. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158.

Caltrans anticipates being an active partner in coordinating with the Authority in the preparation and development of the project EIR/EIS to ensure Caltrans standards are met and to avoid or minimize potential impacts to Caltrans facilities and resources. Caltrans shares the Authority's goal to improve mobility across California and will continue to work with the Authority to help advance the implementation of the HST project.

Caltrans has assigned a project manager in each District to coordinate the project approval. For further information regarding this matter, please contact our Statewide coordinator Mr. Jess Avila, at (916) 227-9848 or email Jess_avila@dot.ca.gov. The Deputy District Directors for Planning in District 7 and 8, are Jim McCarthy and William A. Mosby, who concur with these comments.

If you need further information or have, any questions, regarding this correspondence, please contact Chris Schmidt at (619) 220-7360 or email chris_schmidt@dot.ca.gov.

Sincerely,



BILL FIGGE

Deputy District Director, Planning Division

Attachment A

cc: Jim McCarthy, Deputy District Director, District 7
William A. Mosby, Deputy District Director, District 8
Jose Martinez, Los Angeles to San Diego Regional Manager, California High-Speed Rail Authority
Jess Avila, California High-Speed Rail Authority Coordinator, Caltrans
Gary Arnold, Statewide LD-IGR Coordinator, Caltrans
Sam Amen, HST Program Manager, Caltrans District 11
Reza Fatch, HST Program Manager, Caltrans District 7
Joe Meraz, Project Manager, Caltrans District 7
Chris Schmidt, Senior Transportation Planner, Caltrans District 11
Jacob Armstrong, Senior Transportation Planner, Caltrans District 11
Scott Morgan, State Clearance House

Attachment A

District 7 Planned and Future Projects

I-10 HOT Lane Demonstration Project
State Route 60 HOV Lanes
State Route 60/Lemon Street Interchange (New)
I-605/I-10 direct HOV Connector Project
I-10 HOV Lanes
710 Freeway Extension Project
State Route 71 Grade Separation Project
Metro Gold Line Extension Project

District 8 Planned and Future Projects

Route 15 Riverside County

NEAR CORONA AT I-15/CAJALCO RD IC - RECONSTRUCT/REALIGN & WIDEN CAJALCO RD FROM 2 TO 6 LANES FROM TEMESCAL CYN RD TO BEDFORD CYN RD & RECONSTRUCT/WIDEN RAMPS 1 TO 2 LANES.

FRENCH VALLEY PKWY IC/ARTERIAL PHASES: CONSTRUCT 6 LN IC (JEFFERSON TO YNEZ) & RAMPS, NB/SB AUX LN, CD LNS (3 LNS NB & SB) & MODIFY WINCHESTER RD IC (I-215 PM: 8.2-9.5) (EA:43270)

ON I-15 S/O TEMECULA - CONSTRUCT NEW EASTERN BYPASS/I-15 IC (4 LANES, 2 LANES IN EACH DIRECTION) & RAMPS (1 LANE) WITH EASTERLY 4 LANE ARTERIAL CONNECTION APPROXIMATELY 2 MILES AT NEW EASTERN BYPASS ARTERIAL/IC BETWEEN PM 0.0 TO 2.0 ON I-15

FROM SR-74 TO SAN BERNARDINO COUNTY LINE - BUILD HOV/HOT LANES: 2 HOV3+ /HOT EACH DIR

Route 215 Riverside County

ON I-215/SR91/SR60, RIV I215 COR IMPROV PROJ - FROM 60/91/215 JCT TO 60/215 SPLIT - WIDEN 6 TO 8 LNS, INCLUDING MAINLINE/ IC IMPROVS, ADD HOV, AUX, & SB TRUCK CLIMB LN (EA: 3348U1)

ON I-215 (N/O EUCALYPTUS AVE TO S/O BOX SPRINGS RD) & SR60 (DAY ST TO SR60/I-215 JCT): RECONSTRUCT JCT TO PROVIDE 2 HOV DIRECT CONNECTOR LNS (SR60 PM: 12.21 TO 13.31) AND MINOR WIDENING TO BOX SPRINGS RD FROM 2 TO 4 LNS (APPROX 350 METERS) BTWN MORTON RD & BOX SPRINGS RD/FAIR ISLE IC (EA: 449311)

ON I-215 IN SW RIV CO FROM MURRIETA HOT SPRINGS RD TO SCOTT RD: CONSTRUCT A THIRD MIXED FLOW LANE IN EACH DIRECTION (WIDENS I-215 FROM 4 TO 6 MF LANES - 3 IN EACH DIRECTION) (EA: 0F161)

ON I-215 IN SW RIV CO FROM SCOTT RD TO NUEVO RD IC: CONSTRUCT A THIRD MIXED FLOW LANE IN EACH DIRECTION (WIDENS I-215 FROM 4 TO 6 LANES - 3 IN EACH DIRECTION) (EA: 0F162) (PA&ED)

(Attachment A continued)

Route 10 San Bernardino County

I-10 TIPPECANOE INTERCHANGE I/C CONFIGURATION & ADD AUX LANES; HP#1366 (AUX LANE IS FOR EASTBOUND TRAFFIC FROM WATERMAN ON-RAMP TO TIPPECANOE OFF-RAMP.

I-10 AT GROVE INTERCHANGE AND GROVE AVE. CORRIDOR - RELOCATE I/10 & 4TH ST. I/C TO GROVE AVE. AND WIDEN GROVE AVE BETWEEN I-10 TO HOLT (WIDEN 4-6 LANES)

I-10 FROM HAVEN TO FORD - ADD 1 HOV LANE EACH DIRECTION, WIDEN UC'S, RECONSTRUCT RAMPS (PM7.4-34.0)

Route 215 San Bernardino County

I-215 BI-COUNTY IMPROVMT PROJECT - I-215 FROM - SR60/SR91/I-215 I/C IN RIVERSIDE TO ORANGE SHOW RD. IN SAN BERNARDINO- ADD 1 HOV & 1 MIXED FLOW LN IN EA.DIR.& ADD DECEL AND ACCEL LNS W/LOCAL RDS W/ ADDITIONAL IMPROVMTNS AT COLUMBIA AVE, CENTER ST., IOWA AVE, WASHINGTON

Rail Project San Bernardino County

IN COLTON FROM 0.2 MIL (0.3 KM) W/O RANCHO AVE TO 0.9 MI (1.5 KM) E/O LA CADENA DRIVE - CONSTRUCT RR TO RR GRADE SEPARATION

District 11 Planned and Future Projects

Major Capital Improvements - these projects are included in the SANDAG November 2007 Regional Transportation Plan.

Transit Facilities

Mid-Coast Light Rail — Project proposes to extend light rail transit (LRT) service from the Old Town Transit Center to the University City community serving major activity centers such as the University of California, San Diego (UCSD), University Town Center (UTC), Old Town, and Downtown San Diego. The extension runs parallel to I-5 from Old Town to UCSD.

HOV and Managed Lane Facilities

Interstate I-5 from PM R20.0 to PM R30.7 and Interstate I-15 from PM M12.1 to PM R31.5. Improvements include additional Freeway (F), High Occupancy Vehicle (HOV), Managed Lanes (ML) and Moveable Barrier (MB) lanes throughout.

FREE-WAY	FROM	TO	EXISTING	REVENUE CONSTRAINED	REASONABLY EXPECTED 2007	UNCONSTRAIN-ED 2007
I-5	I-8	La Jolla Village Dr	8F/10F	8F/10F + 2 HOV	8F/10F + 2 HOV	10F+2HOV
I-5	La Jolla Village Dr.	I-5/I-805 Merge	8F/14F	8F/14F + 2 HOV	8F/14F + 2 HOV	8F/14F + 4ML
I-15	SR-163	SR-56	8F + 2ML (R)	6F	6F	8F+2HOV
I-15	SR-56	Centre City Pkwy.	8F	8F+2HOV	8F+2HOV	8F+2HOV
I-15	Centre City Pkwy.	SR-78	8F	10F+4ML/MB	10F+4ML/MB	10F+4ML/MB
I-805	SR-52	Carroll Canyon Road	8F	8F + 4ML	8F + 4ML	8F + 4ML

(Attachment A continued)

HOV and BRT Connectors

Interstate I-5 from PM R30.7 and Interstate I-15 from PM R31.5

Improvements include High Occupancy Vehicle (HOV) and Bus Rapid Transit (BRT) Connectors.

FREEWAY	INTERSECTING	MOVEMENT
I-5	I-805	North to North & South to South
I-15	SR-78	East to South & North to West

Highway Widening, Arterials, and Freeway Interchanges

Interstate I-15 from PM R31.5 to PM R54.3

Improvements include additional Freeway (F) and Toll lanes throughout.

FREE-WAY	FROM	TO	EXISTING	REVENUE CONSTRAINED	REASONABLY EXPECTED 2007	UNCONSTRAINED 2007
1-15	SR-78	Riverside County	8F	8F	8F+4 Toll	8F +4 Toll

The following specific projects are in progress:

SD I-805 from 23.3 to 27.7 - Construct managed lanes north.

In San Diego County in San Diego on R805 from 0.4 mile of R805/State Route 52 (SR-52) separator to 0.6 mile south of the Sorrento Valley under-crossing and on SR-52 from .2 mile west to .4 mile east of I-805/SR-52 separation PM 23.3/27.7; R52 3.5/4.1.

Timeline: PS&E 8/11/2015, Approve Contract - 2/12/2016

EB Interstate (I-8) to NB Interstate 5 (I-5) - Construct auxiliary lanes/widen connector.

On SD I-5 from PM 19.9 to 22.5. On I-5 from 0.1 KM south of junction with I-8 and on the right lanes thru the Sea World Drive interchange on I-8 from I-8/I-5 PM 20.0 separation to 0.6 KM east of Morena Blvd. under-crossing.

Timeline: PA&ED – 2010, Complete – 2018

North Interstate 805 (I-805) HOV Lanes Project

Construction of a high occupancy vehicle (HOV lane in each direction along Interstate 805 from Interstate (I-5) PM 28.9 to PM 26.8 Carroll Canyon Road and construction of a northerly Direct Access Ramp (DAR) from the Carroll Canyon Road Extension to the HOV lanes (Unit 2).

Timeline: Construction – 2009 Complete 2011

Interstate 15 (I-15) Express Lanes project – Construct managed lanes.

The I-15 Express Lanes will provide a four lane, 20 mile express lane facility in the median of the I-15 stretching from State Route 163 (SR-163) PM M12.1 north to State Route 78 (SR-78) PM R31.5.

Timeline: Completion 2012

San Diego International Airport Lindbergh Field - Short-term improvements.

Improvements include the addition of 10 new gates to Terminal 2 West and various airfield, parking, and roadway improvements. New Car Rental facility on southside of Pacific Highway @ Sassafras immediately adjacent to I-5 and Airport and the planned Inter-modal Center.

Timeline: Completion - TBD

Sea World Drive – Project Study Report (PSR)

Sea World Drive runs in an east-west direction within the City of San Diego. The project limits are bounded to the west by the intersection of Sea World Drive and Pacific Highway/East Mission Bay Drive and to the east by the intersection of Tecolote Road and Morena Boulevard. The proposed improvements will enhance safety, provide congestion relief, and improve access to I-5 by reconfiguring the interchange to accommodate a northbound loop on-ramp to I-5. Timeline: EIR/EA - 10/2012



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

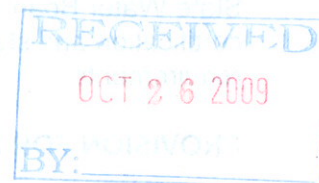
Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

OCT 23 2009



Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt,

NOTICE OF PREPARATION (NOP) COMMENTS REGARDING THE PROPOSED CALIFORNIA HIGH-SPEED TRAIN (HST) PROJECT – LOS ANGELES TO SAN DIEGO VIA THE INLAND EMPIRE (SCH# 2009091070)

State Water Resources Control Board (State Water Board) staff has reviewed the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the HST System for the Los Angeles to San Diego (LA-SD) Section. The proposed project has the potential to adversely impact water quality and beneficial uses during construction as well as over the life of the project. Because of these potential effects, the State Water Board requests that the following concerns be addressed in the forthcoming Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS).

The proposed project alignments are located in areas administered by the Los Angeles, Santa Ana, and San Diego Regional Water Quality Control Boards (Regional Water Boards). The size and scope of the proposed HST Project does not allow a comprehensive review of all on-the-ground details for all of the possible routes. This review, therefore, covers several general topics of concern and provides examples of classes of specific concerns that will need to be addressed in a DEIR/EIS and in development of subsequent project implementation plans.

STATE WATER AND REGIONAL WATER BOARD JURISDICTION

Clean Water Act Section 401 requires that anyone proposing to conduct a project that requires a federal permit, or that involves dredge or fill activities that may result in a discharge to surface waters, including wetlands, is required to obtain a Water Quality Certification (Certification) verifying that the project activities will comply with state water quality standards. Since this project spans more than one Regional Water Board jurisdiction, the State Water Board would issue the Certification.

In addition, dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activity. Please note that this permit has provisions specifically relating to linear projects such as the HST. If a single project traverses more than one Regional Water Board jurisdiction, a complete Notice of

Intent package (Notice of Intent, site map, and fee) and Notice of Termination (upon completion of each section), must be filed for each Regional Water Board.

State Water Board staff will work closely with Regional Water Board staff in development of all certification and storm water permit conditions, including mitigation and monitoring requirements.

PROVISION FOR ANALYSIS OF A FULL RANGE OF ALTERNATIVES

The California Water Boards (State and Regional Water Boards collectively) require projects subject to their permitting authority to avoid and minimize impacts to all waters of the State to the maximum extent practicable, and to ensure no net loss of any type of wetlands and their beneficial uses. For this reason, the Water Boards expect that full consideration and analysis of all project alternatives, including the no project alternative, be included in the Draft EIR/EIS.

In the event that unavoidable impacts to waters of the State occur, mitigation for the loss of their functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met.

PROVISION OF FULL INFORMATION ON ALTERNATIVES

The DEIR/EIS must clearly identify selected routes, and must clearly describe and locate all project infrastructure including station locations, roads, substations and all appurtenant structures. The DEIR/EIS must also clearly identify all waters of the State that may be affected by the various project alternatives. This description should distinguish those waters of the State that are also waters of the United States.

CEQA LEAD AND RESPONSIBLE AGENCY CONSULTATION

The lead agency for CEQA compliance should be clearly identified in the DEIR/EIS. That agency should make every effort to ensure that all responsible agencies under CEQA, including the Water Boards and the California Department of Fish and Game, are consulted throughout the preparation of the DEIR/EIS. This consultation should address development of all avoidance, minimization, and compensatory mitigation measures for the project alternatives presented.

AVOIDANCE AND MINIMIZATION MITIGATION MEASURES

Avoidance and minimization of project effects to waters of the State should be a fundamental environmental strategy for the proposed project. For all project alternatives, construction and maintenance activities should be proposed that will avoid disturbance to riparian and wetland vegetation, drainage channels, and intermittent and perennial stream banks, or to any landforms which, if disturbed, might affect water quality or beneficial uses of waters, to the greatest extent feasible. When such avoidance is infeasible, construction and maintenance activities should be specified that would minimize disturbance to the fullest extent possible. Avoidance measures should include site configurations that minimize the number of stream crossings and require natural channel design for all relocated segments of streams. Project design should also include scientifically based buffers between wetlands and streams and any impervious surface.



HYDROLOGY

Potential significant effects to the aquatic resources should be evaluated using a watershed approach. The loss of functions and services of impacted water bodies, including wetlands, should be appraised considering the availability and the condition of aquatic resources in the impacted watershed. To protect existing hydrology, every effort should be made to incorporate "low impact development" design techniques such as limiting impervious surfaces and controlling runoff through ground infiltration methods. For any proposed change to existing flow volume, channel location/size, or rate of discharge, an evaluation should be made of the effects on current patterns, water circulation, normal water fluctuation, and salinity. Consideration should also be given to the potential diversion or obstruction of flow, alterations of bottom contours, or other significant changes in the hydrologic regime. Any potential surface and ground water effects should be evaluated in the DEIR/EIS.

BIOLOGICAL RESOURCES

Development associated with implementation of the proposed HST Project would contribute to the on-going loss of natural and agricultural lands, which currently provide habitat for a variety of federal and State listed special status species, as well as other wildlife and plant resources. Two important types of wildlife habitat are riparian and wetland habitats. These habitats can be threatened by development, erosion, and sedimentation, as well as by poor water quality. The water quality requirements of wildlife pertain to the water directly ingested, the aquatic habitat itself, and the effect of water quality on the production of food materials. Waterfowl habitat is particularly sensitive to changes in water quality. The Project could substantially reduce these habitats and restrict the movement of several species. The DEIR/EIS should fully describe the potential project related impacts to animal and plant species habitat, including wetlands and riparian areas and commit to habitat preservation measures that protect water quality, species movement and habitat needs.

SETTING OF COMPENSATORY MITIGATION REQUIREMENTS

In the event that unavoidable impacts occur, mitigation for the loss of functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met. The Draft EIR/EIS should discuss likely mitigation approaches for each alternative, including potential types, sites, timing and financial assurances.

INSPECTION AND MONITORING FOR ENVIRONMENTAL COMPLIANCE

Provisions for inspecting and monitoring the project for environmental compliance should be included in the DEIR/EIS. This monitoring effort would be active for the time required to achieve post-construction mitigation success. Qualified, independent inspectors who would have authority to enforce all pertinent environmental guidelines and mitigation measures should conduct this inspection and monitoring effort. The inspection team should be assigned, funded, and equipped to cover the entire project area for all hours and days of operation. This inspection team should be led and/or staffed by qualified persons with experience and training in natural resources, geology, soils, ecology, or related disciplines. The inspection team should also include persons qualified in storm water management, erosion prevention, and erosion control (as evidenced by work experience or certifications such as Certified Professional in Erosion and Sediment Control, or Certified Professional in Storm Water Quality). The



inspection team should also include persons with experience and skill that is pertinent to the terrain traversed by the proposed project. Inspectors with urban construction experience, for example, may not be skilled or qualified for inspection of activity in backcountry forest or rangeland settings. These inspectors should be readily accessible to regulatory agency staff, and should make regular and timely reports to all agencies.

AVOIDANCE OF SPECIAL AREAS

Special efforts should be made to avoid impacts to wetlands and waters of the State in areas of ecological integrity, such as California State Parks, designated Wilderness, Wilderness Study Areas, Areas of Critical Environmental Concern, and similar relatively sites. These areas typically contain waters of the State with important habitat and recreational beneficial uses.

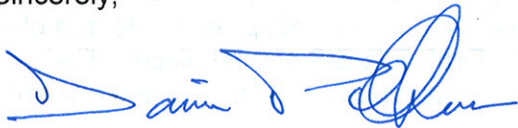
CUMULATIVE EFFECTS:

There are existing and proposed new rail lines and other linear projects in the project area. A full discussion of the cumulative effects of the proposed project in the context of these existing and proposed new projects should be included in the DEIR/EIS. The HST Project should incorporate design modifications that reestablish or improve on current environmental conditions and ecological processes and functions. Water quality considerations should be included when plans are made to repair or modify existing railway infrastructure, as well as when plans are made to build new infrastructure.

IN CONCLUSION

State Water Board staff thanks the California High-Speed Rail Authority for this opportunity to comment on this project. Please continue to include our agency in all future correspondence regarding this project. We are available to discuss the project and our comments in detail. For questions or comments, contact Mr. Bill Orme at (916) 341-5464 (borme@waterboards.ca.gov) or Darren Bradford at (916) 341-5558 (dbradford@waterboards.ca.gov)

Sincerely,



Darrin Polhemus
Deputy Director
Division of Water Quality

cc: (See continuation page)



cc: (Continuation page)

cc:

Dave Castanon, Chief
Regulatory Division
U.S. Army Corps of Engineers
Los Angeles District
911 Wilshire Boulevard
Los Angeles, CA 90053-2325

Dave Smith, Chief
Wetlands Regulatory Office
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

Ed Pert, Regional Manager
Department of Fish and Game
4949 Viewridge Avenue
San Diego, CA 92123

Tracy Egoscue, Executive Officer
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Gerard J. Thibeault, Executive Officer
Santa Ana Regional Water Quality Control Board
California Tower
3737 Main Street, Suite 500
Riverside, CA 92501-3339

John Robertus, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123



CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



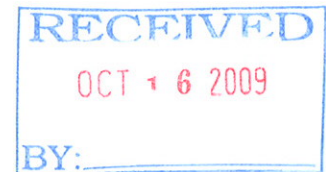
PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: (916) 574-1900
Contact FAX: (916) 574-1885

October 13, 2009

File Ref#: SCH 2009091070

Mehdi Morshed
Executive Director
California High-Speed Rail Authority
925 L Street
Sacramento, CA 95814



Dear Mr. Mehdi:

SUBJECT: Notice of Preparation for the Los Angeles to San Diego Section High-Speed Rail Train Project EIR/EIS

Staff of the California State Lands Commission (CSLC) has reviewed the Notice of Preparation (NOP) for the Los Angeles to San Diego Section High-Speed Rail Train Project Environmental Impact Report/ Environmental Impact Statement (EIR/EIS). Under the California Environmental Quality Act (CEQA), the California High-Speed Rail Authority is the Lead Agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, school lands, and their accompanying Public Trust resources or uses.

As general background, the State of California acquired sovereign ownership of all tidelands, submerged lands, and the beds of navigable waters upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of California for statewide Public Trust purposes (waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space). The State's sovereign land interests are under the jurisdiction of the CSLC.

School lands were granted to the State of California under the School Land Grant of 1853. The CSLC, through its State School Lands Management Program, manages approximately 469,000 acres of school lands held in fee ownership by the State and the reserved mineral interests on an additional 790,000± acres where the surface estates previously have been sold. In 1984, the State Legislature approved the School Land Bank Act (Act) that created the School Land Bank Fund (SLBF) and appointed the CSLC as trustee of the SLBF. Through the establishment of the Act,

the Legislature directed the CSLC to manage the remaining school lands to provide an economic base for support of the public school system. The CSLC is responsible for developing school lands into a permanent and productive resource base for revenue generating purposes.

Please be advised that use of any sovereign or school lands for any part of the Los Angeles to San Diego Section High-Speed Rail Train Project requires that the applicant first obtain a lease from the CSLC. Based on the information and maps you provided in the NOP, it is impossible to determine if any sovereign lands or school lands lay within the Project area. Therefore, staff of the CSLC is requesting that more detailed project maps be provided for our review as they become available.

The Commission, acting as a Responsible Agency under CEQA, will use the EIR to approve any leases on land within our jurisdiction. Therefore, we ask that the following issues be discussed in the EIR.

- As part of the air quality analysis in the MND, greenhouse gas emissions (GHG) information consistent with the California Global Warming Solutions Act (AB 32) should be included. For each alternative, this would include a determination of the greenhouse gases that would be emitted, a determination of the significance of the impact, and mitigation measures to reduce that impact.
- Any impacts to aquatic, riparian, and terrestrial species should be fully discussed in the EIR, including a determination of the significance of the impact, and mitigation measures to reduce that impact.

Please contact Jim Porter at (916) 574-1849 or by e-mail at porterj@slc.ca.gov for information concerning the Commission's leasing requirements. If you have any questions on the environmental review, please contact Mary Ann Hadden at (916) 574-2274 or by e-mail at haddenm@slc.ca.gov.

Sincerely,



Marina R. Brand, Assistant Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research

M. Hadden, CSLC
J. Porter, CSLC

CAPITOL OFFICE:
STATE CAPITOL
SACRAMENTO, CA 95814
TEL (916) 651-4039
FAX (916) 327-2188

DISTRICT OFFICE:
2445 5TH AVENUE, SUITE 200
SAN DIEGO, CA 92101
TEL (619) 645-3133
FAX (619) 645-3144

California State Senate

SENATOR
CHRISTINE KEHOE
THIRTY-NINTH SENATE DISTRICT



STANDING COMMITTEES:

- APPROPRIATIONS, CHAIR
- BANKING, FINANCE AND INSURANCE
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MEMBER:

- LEGISLATIVE LESBIAN, GAY, BISEXUAL AND TRANSGENDER CAUCUS
- LEGISLATIVE WOMEN'S CAUCUS

November 18, 2009

The Honorable Kurt Pringle, Chair
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dan Leavitt
Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Attn: LA-SD HST Project EIR/EIS

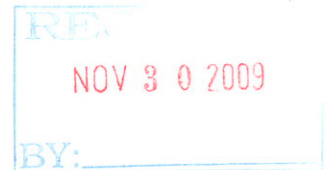
Dear Chairman Pringle and Deputy Director Leavitt:

Thank you for the opportunity to provide comments on the Authority's NOP for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Los Angeles to San Diego high speed train corridor.

Last November as our local, state and federal governments reeled from the sudden and significant downturn in our economy, and with millions of people being laid off as businesses downsized, California voters affirmed their belief in the importance of high speed trains as they approved almost \$10 billion in state bonds. I am in strong support of implementing the vision of high speed rail from San Diego to San Francisco and Sacramento. The opportunities to enhance our state's economy through the development of new industries and new jobs while reducing greenhouse gas emissions are boundless.

I support no more than two stations within San Diego County: one at San Diego International Airport (Lindbergh Field) as part of an Intermodal Transportation Center and a second at the Escondido Transit Center. I do not support a stop in University City. I also support the High-Speed Rail Authority analyzing both the I-5 corridor and the I-15 corridor so that a fair and comprehensive determination can be made on how each route would affect the environment.

Most important, I recommend that the Authority not lose sight of the public's intent in voting for the bond measure last November and adopt routes and site stations that fulfill



the vision and promise of a true high speed rail system. That includes facilitating efforts to enhance intercity rail and support opportunities to develop a commuter market along the I-15 corridor, a potential extension to the border, and linking transportation improvements with smart growth land uses.

I look forward to working with the Authority, the San Diego Association of Governments (SANDAG), and our local jurisdictions in making this high speed rail vision a reality.

Sincerely,

A handwritten signature in blue ink that reads "Christine Kehoe". The signature is fluid and cursive, with the first name "Christine" being larger and more prominent than the last name "Kehoe".

CHRISTINE KEHOE
Senator, 39th District

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



December 1, 2009

Dan Leavitt
Attn: LA-SD HST Project EIR/EIS
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Notice of Preparation of Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train project from Los Angeles to San Diego via the Inland Empire, CA

Dear Mr. Leavitt:

Please place us on your mailing list (both our San Francisco and San Diego offices) for the EIR/EIS and any other notices regarding the above-mentioned activity. Our San Francisco and San Diego Area office addresses are as follows:

Coastal Commission
Attn: Deborah Lee
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4402

Coastal Commission
Attn: Mark Delaplaine
Federal Consistency Division
45 Freemont Street, Suite 2000
San Francisco, CA 94105-2219

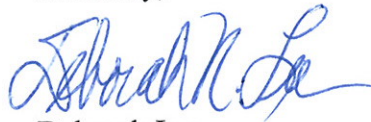
Portions of the above-referenced project (primarily those in San Diego County) may trigger the need for coastal development permits and/or federal consistency certifications from the Commission. Depending on which alternatives are ultimately selected for implementation, and which agency would be the project proponent, such activities may trigger the need for coastal development permits and/or federal consistency certifications or determinations from the Commission. The former procedure (coastal development permit) is triggered if the activity is located within the coastal zone and within an area where the Commission retains original permit jurisdiction.¹ This requirement arises under the California Coastal Act of 1976, as amended (Cal Pub. Res. Code ("PRC"), Division 20: Section 30000, et seq.). An alternative review mechanism that may be available is a public works facility review, under PRC Section 30605. The federal consistency procedures are triggered in the event the activity receives federal funding, requires federal permits (consistency certification), or is proposed by a federal agency (consistency determination), based on the requirements of Section 307 of the Coastal Zone Management Act 16 U.S.C. Section 1456 (with implementing regulations at 15 CFR Part 930).

¹ If the activity is within the Coastal Zone but outside of the Commission's area of original permit jurisdiction, a coastal development permit must be sought from the local government with coastal permit issuing authority.

In your investigation into potential impacts from the various design alternatives considered as a part of the proposed project, please consider resources protected under the Coastal Act. Sensitive resources in the potential project area could include the San Diego River, wetlands, and areas of coastal sage scrub. Public access and visual resources will also need to be protected within the corridor. It appears from preliminary review of available materials, the majority of these impacts would be located within the Coastal Zone of San Diego County. In your review, it will also be important to analyze and discuss the effects the proposed project may have on the ridership, operations, and phased implementation of projects in the LOSSAN corridor, due to the fact that a large component of the LOSSAN corridor within San Diego County is located within the Coastal Zone.

To determine whether any Coastal Commission coastal development permits are needed, please contact the San Diego District Office at (619) 767-2370. To determine whether the federal consistency process is triggered, please contact Mark Delaplaine, federal consistency coordinator, of the Commission staff at (415) 904-5200.

Sincerely,



Deborah Lee
District Manager

cc: San Francisco Federal Consistency Unit
State Clearinghouse

Leavitt
HSR LA-SD (NOP) for
November 19, 2005
Page 1



State of California • The Resources Agency

Arnold Schwarzenegger, Governor

DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001

Ruth Coleman, Director

November 19, 2009

Dan Leavitt
Deputy Director,
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento CA, 95814

Re: Comment Letter for Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA

Dear Mr. Leavitt,

The San Diego Coast District of California State Parks (CSP) welcomes the opportunity to comment on the Notice of Preparation for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA (NOP). Several issues with regard to the San Diego Coast District require consideration: Careful analysis of potential Impacts to Old Town San Diego State Historic Park and Torrey Pines State Natural Reserve, and design of appropriate minimization, avoidance or mitigation measures.

Old Town San Diego State Historic Park

The EIR/EIS should address potential impacts associated with the HSR project to Old Town San Diego State Historic Park. The HSR alignment occurs directly adjacent to Old Town San Diego SHP within the City of San Diego. Because this area already supports several major transportation facilities (Interstate 5, the San Diego Trolley, Amtrak, the Coaster, Surfliner, and a bus transfer station, the location of the HSR would seem to be appropriate. The main concern with the HSR in this location is the threat to our operational activities, and aesthetic, historic and interpretive resources. Potential impacts that must be addressed include noise, vibration, air pressure, and air quality, as well as traffic delays and public access. Additionally, short-term construction-related impacts including losses of parking and visitation should be addressed. Thoughtful and well-conceived mitigation will be needed to resolve these issues.

Leavitt
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Torrey Pines State Natural Reserve

The Proposed HSR alignment follows and crosses Carroll Canyon which is a tributary to the Los Peñasquitos Lagoon within Torrey Pines State Natural Reserve. The Lagoon is currently threatened by sediment and increased freshwater due to upstream development. The proposed project design should minimize impervious surfaces and strive to eliminate any new sources of urban runoff or sediment. The EIR/EIS should address all potentially significant downstream environmental effects associated with the proposed alignment.

Thank you for the opportunity to comment on the project. If you have further questions or would like elaboration on the above-mentioned issues please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ronilee Clark", with a long horizontal flourish extending to the right.

Ronilee Clark, District Superintendent
California State Parks, San Diego Coast District

CC:

Rich Dennison
Bill Mennell
Therese Muranaka
Jeanne Akin
Reading File

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



November 20, 2009

SCH# 2009091070

Los Angeles to San Diego via Inland Empire High Speed Train System
Los Angeles, San Bernardino, Riverside and San Diego County

Dan Leavitt
Deputy Director
California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

Re: SCH# 2009091070 – Response to Notice of Preparation (NOP) of Project Environmental Impact Report / Environmental Impact Statement (EIR/EIS) for the Los Angeles to San Diego via Inland Empire High-Speed Train (HST) system

Dear Mr. Leavitt:

The California Public Utilities Commission's (Commission) Rail Crossing Engineering Section (RCES) is taking this opportunity to address the California High-Speed Rail Authority's (Authority) NOP of an EIR/EIS for the Los Angeles to San Diego HST project. RCES staff offers the following comments.

Commission Requirements and Policy

The Commission has jurisdiction over the safety of highway-rail crossings (crossings) in California. The Commission has exclusive power over the design, alteration, and closure of crossings, pursuant to Public Utilities Code Section 1201 et al. Application to the Commission is required for construction of railroad across a public road (Commission Rule 3.9). The HST project is subject to a number of other rules and regulations involving the Commission. The design criteria of the proposed project will need to comply with Commission General Orders (GO's). The following GO's, among others, may be applicable:

- GO 26-D (regulations governing clearances on railroads and street railroads with reference to side and overhead structures, parallel tracks, crossing of public roads, highways and streets)
- GO 72-B (rules governing the construction and maintenance of crossings at grade of railroads with public streets, roads and highways)
- GO 75-D (regulations governing standards for warning devices for at-grade highway-rail crossings)
- GO 88-B (rules for altering public highway-rail crossings)
- GO 95 (rules for overhead electric line construction)

Background on Currently Proposed High-Speed Train Alignment

The HST alignment from Los Angeles to San Diego via Inland Empire will run along the BNSF Railway (BNSF), Union Pacific Company (UPRR), North County Transit District (NCTD), and San Diego Metropolitan Transit System (MTS) rights of way. The route will impact a number of existing at-grade, and grade-separated crossings. In addition, the National Passenger Railroad Corporation (Amtrak) and Southern California Regional Rail Authority (Metrolink) also operate passenger trains along portions of this route.

On the Riverside segment along the I-215 corridor, Riverside County Transportation Commission (RCTC) is proposing to extend Metrolink commuter service from the City of Riverside to the City of Perris along the BNSF Railways San Jacinto Branch line (SJBL) referred to as Perris Valley Line (PVL). The proposed start of commuter service of the PVL is in late 2012. The Authority should be aware of such proposal by RCTC and incorporate any impacts associated with the PVL project and the HST Project.

One area of concern with the San Diego segment is the portion of the alignment that will run along existing freight and passenger lines in the densely developed downtown San Diego area. Reviewing the preferred project route it appears the HST will impact the proposed downtown San Diego quiet zone. Staff has been through diagnostic meetings with the City of San Diego, MTS, NCTD, and BNSF regarding the downtown San Diego quiet zone. The crossings upgrades that will be a part of the San Diego quiet zone have been agreed upon by all parties. In the NOP document it shows that a HST station is being proposed at Ash Street. Ash Street is part of the proposed San Diego quiet zone and the addition of the HST station will add pedestrian traffic and alter the characteristics of the Ash Street crossing and possibly other nearby crossings that are part of the quiet zone. For reference, the northern most crossing of the quiet zone is Laurel Street and the southern most crossing is Fifth Avenue. The impact that the HST has on the proposed quiet crossings will have to be evaluated and discussed further with staff.

The High-Speed Train Alternative

The HST Alternative proposes the construction of an “electric-powered steel-wheel-on-steel-rail HST system... operating at speeds of 220 mph on mostly dedicated, fully grade-separated tracks with state-of-the-art safety, signaling, and automated train control systems.”

1. The Commission’s RCES recommends the consolidation and grade-separation of all existing at-grade crossings along any adopted alignment in the HST project. Building a new grade separation structure adjacent to an at-grade railroad crossing can negatively impact the safety of the existing crossing due to limiting the configuration of warning devices, limiting the geometry of the roadway and sidewalk (potentially precluding medians or ADA compliant improvements), and obstructing visibility of the warning devices or an approaching train. Rather than degrading the safety of the existing at-grade crossings, the project should provide overall improvement by constructing a grade separation of all the tracks at each crossing.

2. It is strongly recommended that the HST project operate on an entirely dedicated and fully grade-separated track. Incompatibilities with current railroad technology for Constant Warning Time Detection systems may significantly compromise active warning devices.
3. Because the HST system will operate at speeds of 220 mph within the Los Angeles to San Diego segment of the HST project, consideration should be given to grade-separated structures that involve trenching the HST track. There are several grade-separated structures along the proposed alignment that may be significantly impacted as such structures have the roadway elevated above the railroad tracks.
4. As construction of roadway grade separation structures is likely to involve massive changes to public infrastructure and private property in the vicinity of the railroad crossings, local entities must be allowed to amend their general plans and incorporate this HST project into existing footprints to allow for future right-of-way preservation.
5. The majority of cities along the proposed corridor have built their downtowns around the tracks. The high density commercial, residential and industrial areas near the tracks lead to a high amount of pedestrians around the tracks. Leaving the tracks at the current elevation is likely to result in trespassing issues similar to those currently experienced along the rail corridor. Elevating or lowering the tracks, particularly in the downtown areas, would mitigate this concern. Vandal resistant fencing or barriers along any remaining at-grade portions of the alignment should be a requirement of the project.
6. The Commission's RCES requests a more detailed proposal of the Los Angeles to San Diego HST project. The comments offered by the Commission's RCES staff are based on limited and generic information of the proposed HST project. In preparation for the EIR study, all proposed grade-separated structure locations must be identified. Moreover, identification of all existing at-grade crossings along any adopted alignment is required, so that potential impact and mitigation measures can be fully addressed.
7. Because the HST project is solely dependent on an electrified train operation system, discussions in regards to the placement of electrical lines must be held with Commission staff so that existing utilities aren't impacted and minimum required clearances are met.

The Commission is the responsible agency under CEQA section 15381 with regard to this project. As such, we greatly appreciate the opportunity to work with the Authority to improve public safety as it relates to crossings in the Los Angeles to San Diego segment of the HST system in California. We request that RCES be kept informed of all developments associated with the HST project. Meetings should be arranged with the Commission's RCES staff to discuss relevant safety issues and to conduct diagnostic reviews of any proposed and impacted crossing locations along the final selected railroad alignment in the Los Angeles to San Diego HST project. As more information related to the HST system becomes available, RCES staff will subsequently forward the Authority its comments and recommendations to prevent any delays in the project.

Dan Leavitt
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Lastly, as indicated to Authority staff at the technical scoping meetings held in Los Angeles, we request that an administrative draft of the Draft Environmental Impact Report be sent to the Commission's RCES so that all parties are able to address any issues before they are made public in the final EIR. Hopefully, this collaborative process will assist in meeting General Order requirements as they apply to the HST project, the review of the environmental documents and the final CEQA approval of the project.

For questions regarding specific Commission oversight and crossings design, please contact me at 213-576-7078 or by email at rxm@cpuc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosa Muñoz', with a stylized flourish extending to the right.

Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

Curt Pringle, Chairman
Tom Umberg, Vice-Chair
Russell Burns
David Crane
Rod Diridon, Sr.*
Fran Florez*
Richard Katz
Judge Quentin L. Kopp*
Lynn Schenk
*past chair



2009091070

ARNOLD SCHWARZENEGGER
GOVERNOR



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

NOTICE OF PREPARATION

FROM: Mehdi Morshed
Executive Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

SUBJECT: Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA (Note: Review period ends Friday, November 20, 2009)

The California High-Speed Rail Authority (Authority), as the Lead Agency for the California Environmental Quality Act (CEQA) process for a proposed California High-Speed Train (HST) System, is issuing this Notice of Preparation (NOP) of a project EIR/EIS for the Los Angeles to San Diego (LA-SD) Section via the Inland Empire of the Authority's proposed HST System.

This NOP initiates the State CEQA process and the preparation of an Environmental Impact Report/Environmental Impact Statement for the LA-SD Section via the Inland Empire of the proposed California HST System in compliance with relevant state and federal laws, in particular the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The Authority is issuing the NOP to solicit public and agency input into the development of the scope of the EIR and to advise the public that outreach activities will be conducted by the Authority and its representatives in the preparation of the combined EIR/EIS. The Federal Railroad Administration (FRA), an operating administration with the United States Department of Transportation, will serve as federal lead agency for the federal environmental review process complying with NEPA. The FRA has responsibility for oversight of the safety of railroad operations, including the safety of any proposed high-speed ground transportation system. The FRA will publish a Notice of Intent (NOI) in the *Federal Register*, announcing the agency's intention to initiate the federal environmental review process for this section of the HST System.

In 2001, the Authority and FRA started a tiered environmental review process for the HST System and in 2005, completed the first tier California High-Speed Train Program EIR/EIS (Statewide Program EIR/EIS) and approved the statewide HST System for intercity travel in California between the major metropolitan centers of Sacramento and the San Francisco Bay Area in the north, through the Central Valley, to Los Angeles and San Diego in the south. The approved HST System would be about 800 miles long, with electric propulsion and steel-wheel-on-steel-rail trains capable of maximum operating speeds of 220 miles per hour (mph) on a mostly dedicated system of fully grade-separated, access-controlled, state-of-the-art steel track with safety, signaling, communication, and automated train control systems. In approving the HST System, the Authority and FRA also selected corridors/general alignments and station location options throughout most of the system. In 2008, the Authority and FRA completed a second program EIR/EIS to evaluate and select general alignments and station locations within the broad corridor between and including the Altamont Pass and the Pacheco Pass to connect the Bay Area and Central Valley portions of the HST System.

The preparation of the LA-SD HST Project EIR/EIS will involve the development of preliminary engineering designs and the assessment of potential environmental effects associated with the



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

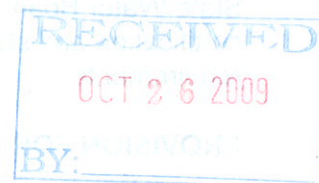
Division of Water Quality

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Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
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Arnold Schwarzenegger
Governor

OCT 23 2009



Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt,

NOTICE OF PREPARATION (NOP) COMMENTS REGARDING THE PROPOSED CALIFORNIA HIGH-SPEED TRAIN (HST) PROJECT – LOS ANGELES TO SAN DIEGO VIA THE INLAND EMPIRE (SCH# 2009091070)

State Water Resources Control Board (State Water Board) staff has reviewed the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the HST System for the Los Angeles to San Diego (LA-SD) Section. The proposed project has the potential to adversely impact water quality and beneficial uses during construction as well as over the life of the project. Because of these potential effects, the State Water Board requests that the following concerns be addressed in the forthcoming Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS).

The proposed project alignments are located in areas administered by the Los Angeles, Santa Ana, and San Diego Regional Water Quality Control Boards (Regional Water Boards). The size and scope of the proposed HST Project does not allow a comprehensive review of all on-the-ground details for all of the possible routes. This review, therefore, covers several general topics of concern and provides examples of classes of specific concerns that will need to be addressed in a DEIR/EIS and in development of subsequent project implementation plans.

STATE WATER AND REGIONAL WATER BOARD JURISDICTION

Clean Water Act Section 401 requires that anyone proposing to conduct a project that requires a federal permit, or that involves dredge or fill activities that may result in a discharge to surface waters, including wetlands, is required to obtain a Water Quality Certification (Certification) verifying that the project activities will comply with state water quality standards. Since this project spans more than one Regional Water Board jurisdiction, the State Water Board would issue the Certification.

In addition, dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activity. Please note that this permit has provisions specifically relating to linear projects such as the HST. If a single project traverses more than one Regional Water Board jurisdiction, a complete Notice of

Intent package (Notice of Intent, site map, and fee) and Notice of Termination (upon completion of each section), must be filed for each Regional Water Board.

State Water Board staff will work closely with Regional Water Board staff in development of all certification and storm water permit conditions, including mitigation and monitoring requirements.

PROVISION FOR ANALYSIS OF A FULL RANGE OF ALTERNATIVES

The California Water Boards (State and Regional Water Boards collectively) require projects subject to their permitting authority to avoid and minimize impacts to all waters of the State to the maximum extent practicable, and to ensure no net loss of any type of wetlands and their beneficial uses. For this reason, the Water Boards expect that full consideration and analysis of all project alternatives, including the no project alternative, be included in the Draft EIR/EIS.

In the event that unavoidable impacts to waters of the State occur, mitigation for the loss of their functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met.

PROVISION OF FULL INFORMATION ON ALTERNATIVES

The DEIR/EIS must clearly identify selected routes, and must clearly describe and locate all project infrastructure including station locations, roads, substations and all appurtenant structures. The DEIR/EIS must also clearly identify all waters of the State that may be affected by the various project alternatives. This description should distinguish those waters of the State that are also waters of the United States.

CEQA LEAD AND RESPONSIBLE AGENCY CONSULTATION

The lead agency for CEQA compliance should be clearly identified in the DEIR/EIS. That agency should make every effort to ensure that all responsible agencies under CEQA, including the Water Boards and the California Department of Fish and Game, are consulted throughout the preparation of the DEIR/EIS. This consultation should address development of all avoidance, minimization, and compensatory mitigation measures for the project alternatives presented.

AVOIDANCE AND MINIMIZATION MITIGATION MEASURES

Avoidance and minimization of project effects to waters of the State should be a fundamental environmental strategy for the proposed project. For all project alternatives, construction and maintenance activities should be proposed that will avoid disturbance to riparian and wetland vegetation, drainage channels, and intermittent and perennial stream banks, or to any landforms which, if disturbed, might affect water quality or beneficial uses of waters, to the greatest extent feasible. When such avoidance is infeasible, construction and maintenance activities should be specified that would minimize disturbance to the fullest extent possible. Avoidance measures should include site configurations that minimize the number of stream crossings and require natural channel design for all relocated segments of streams. Project design should also include scientifically based buffers between wetlands and streams and any impervious surface.



HYDROLOGY

Potential significant effects to the aquatic resources should be evaluated using a watershed approach. The loss of functions and services of impacted water bodies, including wetlands, should be appraised considering the availability and the condition of aquatic resources in the impacted watershed. To protect existing hydrology, every effort should be made to incorporate "low impact development" design techniques such as limiting impervious surfaces and controlling runoff through ground infiltration methods. For any proposed change to existing flow volume, channel location/size, or rate of discharge, an evaluation should be made of the effects on current patterns, water circulation, normal water fluctuation, and salinity. Consideration should also be given to the potential diversion or obstruction of flow, alterations of bottom contours, or other significant changes in the hydrologic regime. Any potential surface and ground water effects should be evaluated in the DEIR/EIS.

BIOLOGICAL RESOURCES

Development associated with implementation of the proposed HST Project would contribute to the on-going loss of natural and agricultural lands, which currently provide habitat for a variety of federal and State listed special status species, as well as other wildlife and plant resources. Two important types of wildlife habitat are riparian and wetland habitats. These habitats can be threatened by development, erosion, and sedimentation, as well as by poor water quality. The water quality requirements of wildlife pertain to the water directly ingested, the aquatic habitat itself, and the effect of water quality on the production of food materials. Waterfowl habitat is particularly sensitive to changes in water quality. The Project could substantially reduce these habitats and restrict the movement of several species. The DEIR/EIS should fully describe the potential project related impacts to animal and plant species habitat, including wetlands and riparian areas and commit to habitat preservation measures that protect water quality, species movement and habitat needs.

SETTING OF COMPENSATORY MITIGATION REQUIREMENTS

In the event that unavoidable impacts occur, mitigation for the loss of functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met. The Draft EIR/EIS should discuss likely mitigation approaches for each alternative, including potential types, sites, timing and financial assurances.

INSPECTION AND MONITORING FOR ENVIRONMENTAL COMPLIANCE

Provisions for inspecting and monitoring the project for environmental compliance should be included in the DEIR/EIS. This monitoring effort would be active for the time required to achieve post-construction mitigation success. Qualified, independent inspectors who would have authority to enforce all pertinent environmental guidelines and mitigation measures should conduct this inspection and monitoring effort. The inspection team should be assigned, funded, and equipped to cover the entire project area for all hours and days of operation. This inspection team should be led and/or staffed by qualified persons with experience and training in natural resources, geology, soils, ecology, or related disciplines. The inspection team should also include persons qualified in storm water management, erosion prevention, and erosion control (as evidenced by work experience or certifications such as Certified Professional in Erosion and Sediment Control, or Certified Professional in Storm Water Quality). The



inspection team should also include persons with experience and skill that is pertinent to the terrain traversed by the proposed project. Inspectors with urban construction experience, for example, may not be skilled or qualified for inspection of activity in backcountry forest or rangeland settings. These inspectors should be readily accessible to regulatory agency staff, and should make regular and timely reports to all agencies.

AVOIDANCE OF SPECIAL AREAS

Special efforts should be made to avoid impacts to wetlands and waters of the State in areas of ecological integrity, such as California State Parks, designated Wilderness, Wilderness Study Areas, Areas of Critical Environmental Concern, and similar relatively sites. These areas typically contain waters of the State with important habitat and recreational beneficial uses.

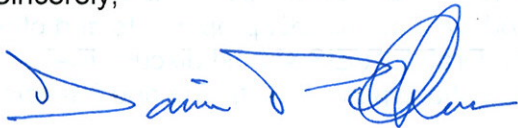
CUMULATIVE EFFECTS:

There are existing and proposed new rail lines and other linear projects in the project area. A full discussion of the cumulative effects of the proposed project in the context of these existing and proposed new projects should be included in the DEIR/EIS. The HST Project should incorporate design modifications that reestablish or improve on current environmental conditions and ecological processes and functions. Water quality considerations should be included when plans are made to repair or modify existing railway infrastructure, as well as when plans are made to build new infrastructure.

IN CONCLUSION

State Water Board staff thanks the California High-Speed Rail Authority for this opportunity to comment on this project. Please continue to include our agency in all future correspondence regarding this project. We are available to discuss the project and our comments in detail. For questions or comments, contact Mr. Bill Orme at (916) 341-5464 (borme@waterboards.ca.gov) or Darren Bradford at (916) 341-5558 (dbradford@waterboards.ca.gov)

Sincerely,



Darrin Polhemus
Deputy Director
Division of Water Quality

cc: (See continuation page)



cc: (Continuation page)

cc:

Dave Castanon, Chief
Regulatory Division
U.S. Army Corps of Engineers
Los Angeles District
911 Wilshire Boulevard
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Dave Smith, Chief
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San Gabriel Valley Council of Governments

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West Covina

First District, LA County

Unincorporated Communities

Fourth District, LA County

Unincorporated Communities

Fifth District, LA County

Unincorporated Communities

SGV Water Districts

EXECUTIVE DIRECTOR

Nicholas T. Conway

November 20, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
Attn: Los Angeles to San Diego Section EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

On behalf of the San Gabriel Valley Council of Governments (SGVCOG), thank you for the opportunity to comment on the California High-Speed Rail Project. At our November meeting, the Governing Board unanimously voted to "support in concept" the California High Speed Rail Project, including the Los Angeles to San Diego Segment, which is to be routed through and include at least one station in the San Gabriel Valley. We look forward to working with the CHSRA to address the operational and environmental issues, including train speeds, noise and grade separations, as well as specific routing, right-of-way and station identification issues associated with this project.

Should you have any questions or wish to discuss this further, please contact me at (626) 564-9702.

Sincerely,

Thomas P. King, President

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

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November 18, 2009

Daniel Leavitt
Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

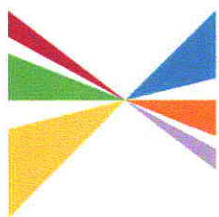
Dear Mr. Leavitt,

Thank you for the opportunity to comment on scoping for the California High Speed Rail Authority (CHSRA) Los Angeles to San Diego via the Inland Empire High Speed Train project Alternatives Analysis. We are pleased to continue working collaboratively with you and our regional partners through the Southern California Inland Corridor Group and the County Level Technical Working Groups. SCAG is committed to working collaboratively to enhance mobility options in our region, and we look forward to participating in the Alternatives Analysis and Environmental Review Process for this important project.

Please be advised that all major transportation investments in the region must be incorporated and integrated into SCAG's Regional Transportation Plan (RTP) in order to pursue federal funds and seek project level NEPA clearance. While the Los Angeles to Anaheim segment of the High Speed Train project is in the current fiscally constrained 2008 RTP, neither this segment nor LA to Palmdale segment are in the current RTP. Even for LA to Anaheim segment, appropriate amendment to the RTP may be necessary to reflect the current project scope, costs, schedule and funding as they evolve through the environmental review and project development processes. New projects or amendments to existing projects can be incorporated into the RTP either through an amendment or regular update which occurs every four years. The next update of the 2008 RTP is anticipated to be completed by April 2012. Lead time for incorporating projects through the update process is approximately nine months. On the other hand, an amendment to the adopted RTP requires six to nine months from the time an amendment request is received. Furthermore, appropriate provisions must also be considered for programming these projects into the Federal Transportation Improvement Program (FTIP) for funding.

Also, please ensure that the Los Angeles to San Diego via the Inland Empire High Speed Train project is coordinated with planned Goods Movement projects and programs as detailed in the 2008 Regional Transportation Plan and the Multi-County Goods Movement Action Plan. Additionally, please be aware that SCAG is currently conducting a new goods movement planning effort in partnership with the County Transportation Commissions, Caltrans, and other

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

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Immediate Past President
Richard Dixon, Lake Forest

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Jon Edney, El Centro

Community, Economic and
Human Development
Carl Morehouse, Ventura

Energy & Environment
Keith Hanks, Azusa

Transportation
Mike Ten, South Pasadena

regional agencies and stakeholders. One of the strategies being considered is a regional system of dedicated clean truck lanes on existing freeways along the same corridor as the proposed LA to San Diego High Speed Train project, which could potentially compete for right-of-way needs in this corridor. The ongoing Comprehensive Goods Movement Plan and Implementation Strategy will further refine the work done in the Multi-County Goods Movement Action Plan.

We look forward to working collaboratively with you further in this important process.

Sincerely,

Rich Macias, Director

Regional and Comprehensive Planning

The Southern California Association of Governments

RM: na, mg



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November 19, 2009

File Number 3101200

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

MEMBER AGENCIES

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La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS

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Transit District
United States
Department of Defense
San Diego
Unified Port District
San Diego County
Water Authority
Southern California
Tribal Chairmen's Association
Mexico

Dear Mr. Leavitt:

SUBJECT: SANDAG Comments on the Notice of Preparation (NOP) for
the Los Angeles to San Diego via Inland Empire Section Project
EIR/EIS

Thank you for the opportunity to provide comments on the Authority's NOP for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for our high-speed train (HST) corridor. Our agencies have worked together for several years to advance San Diego's connection to the state's proposed HST system, and we look forward to taking this big step towards implementation.

At its November 13, 2009, meeting, our Executive Committee emphasized two key comments:

- A station alternative at the proposed Lindbergh Intermodal Transportation Center (ITC) must be included in the process and high-speed trains need to directly serve this downtown San Diego area. SANDAG and the San Diego County Regional Airport Authority are underway with advanced planning for this center, with the first phase of improvements scheduled for 2015; and
- In the interest of designing a high-speed train system, we recommend that fewer stops be included for the section of high-speed rail between Los Angeles and San Diego with no more than four stops during express service. Specifically, we recommend elimination of a University City station from further study and inclusion of the station locations in Escondido and at the Lindbergh ITC.

Our additional comments are:

- SANDAG continues to support the state's efforts to plan, design, and construct HST service along this corridor.
- SANDAG will work cooperatively with partner transportation agencies along the Los Angeles to San Diego Corridor to facilitate the advancement of the project level EIR/EIS and implementation of the corridor.

- The Escondido Transit Center (ETC) continues to be SANDAG's preferred Escondido station location. Since 2008, the SPRINTER light rail service has terminated at the transit center, and SANDAG, NCTD, and MTS are planning to open the Interstate 15 (I-15) Bus Rapid Transit (BRT) service in 2012, which also will terminate at the ETC.
- The City of Escondido is currently underway with an update to its general plan, and should continue to be involved in the corridor process and specifically future land use and smart growth opportunities with a potential station.
- Furthermore, all station locations that are evaluated should provide regional multimodal connections and be located at or near existing or planned smart growth areas.
- The process should consider the SANDAG Mid-Coast Corridor and work closely to ensure that both services can share the same general corridor between the Old Town Transit Center and University City, including potential tunnel options in the University City area.
- The process also should consider ongoing and future planning and project development work for improvements along the Los Angeles-San Diego-San Luis Obispo (LOSSAN) corridor for conventional commuter and intercity rail services.
- SANDAG recognizes that the proposed extension to the International Border is not part of the project-level analysis; we want to continue to work with the CHSRA to pursue this as a possible future extension.
- SANDAG also requests that our agencies continue to work cooperatively on the feasibility to operate a high-speed local overlay service along the HST alignment that would serve other markets such as the commuter market along the I-15 corridor.

Thank you for your continued leadership on this issue. We look forward to continuing to work together.

Sincerely,



LORI HOLT PFEILER
Chair, SANDAG Board of Directors

LCU:sgf

Kris Livingston

From: Keith Owens [k Owens@wmwd.com]
Sent: Friday, November 20, 2009 5:02 PM
To: HSR Comments
Subject: LA-SD HST

Good morning HST Team member,

I, Keith Owens, had an opportunity to attend the Public Scoping meeting at Ontario International Airport on November 2, 2009. The following are comments concerning the high speed train system. Western Municipal Water District has a general district area of approximately 510 square miles that contain sections of I15 and I215. Western would like to receive any correspondence concerning the defined proposed route of the HST. At that time, Western will be in a better position to appropriately address where potential conflicts, if any, may exist with District facilities and infrastructure.

With that said, the HST via the I15 or I215 will route through Western's general district.

Keith G. Owens, P.E.
Principal Engineer



Dir: 951-789-5029 Fax: 951-789-5012
www.wmwd.com



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 19, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Project Authority
925 L Street
Sacramento, CA 95814

Dear Mr. Leavitt:

Re: Notice of Preparation
LA-SD HST Project EIR/EIS
LA-SD HST Section (Inland Empire)

This letter is written in response to the Notice of Preparation (NOP) for a project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Rail Train (HST) Project from Los Angeles to San Diego (LA-SD) via the Inland Empire. The LA-SD HST Project EIR/EIS tiers off a previously completed Statewide Program EIR/EIS for the California High-Speed Train Program. The NOP indicates that two alternative alignments, the "Corona Option" and the "Riverside Option", are under consideration. The Corona Option generally follows the I-15 freeway corridor and the Riverside Option generally follows the I-215 freeway corridor.

The Riverside County Flood Control and Water Conservation District (District) owns and operates various drainage facilities located along the proposed routes and would likely be required to issue various encroachment permits for the project. As such, the District would act as a Responsible Agency pursuant to the California Environmental Quality Act.

The District has reviewed the NOP and has the following comments:

Floodplain Management / NFIP Compliance

Portions of the proposed project alignments traverse or may otherwise be located within the limits of Special Flood Hazard Areas as designated by the Federal Emergency Management Agency on the currently effective Digital Flood Insurance Rate Maps. The proposed project must comply with National Flood Insurance Program (NFIP) regulations (40CFR Parts 59-60) and local floodplain management ordinances (e.g., County Ordinance No. 458). Note that each of the incorporated cities located along the proposed alignments is responsible for compliance with the FEMA floodplain management regulations within their city limits. For additional information regarding floodplain management or NFIP compliance please contact Mr. David Garcia of the District's Floodplain Management Section at 951.955.1265.

Coordination with Existing and Proposed Drainage Facilities

The proposed alignments traverse numerous watersheds and watercourses; therefore, it is anticipated that the proposed project will impact various existing District maintained drainage facilities and/or rights of way that are located within these watersheds and watercourses. The Authority will be required to obtain an encroachment permit for any aspects of the proposed project that would affect existing District facilities and/or rights of way. For additional information regarding encroachment permits please contact Mr. Ed Lotz of the District's Encroachment Permit Section at 951.955.1266.

In addition to existing facilities, the District has also adopted a number of Master Drainage Plans (MDPs) within certain watersheds. The MDPs identify the proposed facilities that are necessary to alleviate existing flooding problems within the MDP area. For additional information regarding the District MDPs, please contact Mr. Dale Anderson at 951.955.1345 or Mr. Edwin Quinonez 951.955.1210.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

The District, along with the incorporated cities and the County of Riverside, are Permittees under the MSHCP. The MSHCP, which is administered by the Western Riverside County Regional Conservation Authority, provides for the long-term conservation of various sensitive species throughout the westerly portion of Riverside County. The District must comply with the provisions of the MSHCP when it issues an encroachment permit or takes other discretionary action.

The Authority will need to demonstrate that the project is consistent with the MSHCP. The EIR/EIS should include an MSHCP consistency report with all of its supporting documents and provide adequate mitigation, if needed, in accordance with all applicable MSHCP requirements. The report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP.

Water Quality / NPDES Stormwater Permitting

It appears the project will require coverage under the statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated With Construction And Land Disturbance Activities (Order No. 2009-0009-DWQ / NPDES No. CAS000002). Additionally, certain waterbodies within the region (Canyon Lake, Lake Elsinore and the Santa Ana River, Reach 3) have been identified on the State's Clean Water Act Section 303(d) listing of impaired waterbodies and Total Maximum Daily Load (TMDL) Waste Load Allocations have been adopted by the Santa Ana Regional Water Quality Control Board.

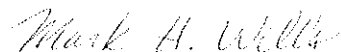
Mr. Dan Leavitt
Re: Notice of Preparation
LA-SD HST Project EIR/EIS
LA-SD HST Section (Inland Empire)

- 3 -

November 19, 2009

The District, along with the incorporated cities and the County of Riverside, operate and maintain Municipal Separate Storm Sewer Systems (MS4s) pursuant to an NPDES MS4 Permit issued by the SARWQCB [NPDES Permit (R8-2002-0011)]. This permit requires the Permittees to minimize the discharge of pollutants from their respective MS4s to the maximum extent practicable. The project will need to implement an effective combination of site, source and treatment control best management practices to minimize the discharge of pollutants in stormwater and to prevent non-stormwater discharges to the Permittees' MS4s and/or local waterbodies. For additional information regarding the District's Municipal Stormwater Program, please contact Mr. Albert Martinez at 951.955.2901.

Very truly yours,



MARK H. WILLS
Chief of Regulatory Division

cc: David Garcia
Ed Lotz
Dale Anderson
Edwin Quinonez
Albert Martinez

MHW:cw
P8/127969



401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
www.sandag.org

November 19, 2009

File Number 3101200

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

MEMBER AGENCIES

Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS

Imperial County
California Department
of Transportation
Metropolitan
Transit System
North County
Transit District
United States
Department of Defense
San Diego
Unified Port District
San Diego County
Water Authority
Southern California
Tribal Chairmen's Association
Mexico

Dear Mr. Leavitt:

SUBJECT: SANDAG Comments on the Notice of Preparation (NOP) for
the Los Angeles to San Diego via Inland Empire Section Project
EIR/EIS

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At its November 13, 2009, meeting, our Executive Committee emphasized two key comments:

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Our additional comments are:

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- SANDAG also requests that our agencies continue to work cooperatively on the feasibility to operate a high-speed local overlay service along the HST alignment that would serve other markets such as the commuter market along the I-15 corridor.

Thank you for your continued leadership on this issue. We look forward to continuing to work together.

Sincerely,



LORI HOLT PFEILER
Chair, SANDAG Board of Directors

LCU:sgf

SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY

P.O. BOX 82776, SAN DIEGO, CA 92138-2776
619.400.2400 WWW.SAN.ORG

November 20, 2009

Mr. Dan Leavitt, Deputy Director
Attn: Los Angeles/San Diego via Inland Empire HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Comments on Los Angeles to San Diego via Inland Empire Section High
Speed Train Project EIR/EIS

Dear Mr. Leavitt:

The San Diego County Regional Airport Authority (SDCRAA) appreciates the opportunity to review and provide comments on the scope and content of the Environmental Impact Report and Environmental Impact Statement for the Los Angeles to San Diego via Inland Empire Section High Speed Train Project. The SDCRAA is responsible for the operations and planning for San Diego International Airport and believes that the following issues should be addressed:

1. **Airport Land Use Compatibility.** The SDCRAA is the Airport Land Use Commission (ALUC) for San Diego County. Pursuant to California Public Utilities Code § 21676(b), amendments to a general or specific plan, zoning ordinance, or building code within an Airport Influence Area (AIA) are subject to review by the local ALUC for a determination of consistency with the applicable Airport Land Use Compatibility Plan (ALUCP). Land uses governed by this amendment are located within the AIA for the San Diego International Airport (SDIA) ALUCP and, therefore, are subject to required ALUC review. The Project EIR should evaluate land use compatibility with the allowed uses as delineated within the ALUCP.
2. **Consistency with Airport Master Plan and Destination Lindbergh Planning Efforts.** In 2008, the SDCRAA adopted the San Diego International Airport Master Plan that guides the airport uses and development on the 661 acres that comprise the Airport and are under the jurisdiction of the SDCRAA. In 2009, the SDCRAA participated in a multi-agency planning effort entitled Destination Lindbergh that evaluated off-airport alternatives for ground transportation to connect with San Diego International Airport including an Intermodal Transportation Center located north of the airport on the north side of Pacific Highway. The Intermodal Transportation Center envisioned a high-speed rail station and vehicle parking that is



SAN DIEGO
INTERNATIONAL
AIRPORT

connected via pedestrian bridges to expanded passenger processing facilities on San Diego International Airport. Since Destination Lindbergh is a multi-agency planning effort and a long-term vision for ground transportation connections to the Airport, it should be referenced in evaluating the high-speed rail station locations.

3. **Circulation, Traffic, and Parking.** The SDCRAA adopted the San Diego International Airport Master Plan in May 2008 which included analyses of the circulation and traffic through the year 2030 in the environs surrounding San Diego International Airport. The HST EIR/EIS should include analyses of the circulation and traffic impacts, including cumulative project impacts as the city-dedicated streets that serve the Airport would also serve a potential high-speed rail station. In addition, as vehicle parking is constrained at and surrounding San Diego International Airport, any potential uses that increase the demand for vehicle use and parking should be identified and describe how the demand for vehicle parking will be served.
4. **Transit Opportunities.** As the SDCRAA continues to explore airport transit improvements, any potential opportunities to improve transit connectivity to and through any high-speed rail stations are encouraged.

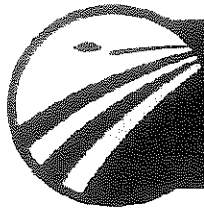
Thank you for the opportunity to provide comments. Please contact me if you have any questions at (619) 400-2478.

Thank you,

A handwritten signature in dark ink, appearing to read 'Ted Anasis', with a long horizontal flourish extending to the right.

Ted Anasis, AICP
Manager, Airport Planning

TA/ljt



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by November 20, 2009 (return address is on the reverse side of this form).

Today's Meeting Date/Location:

☐ October 13 - La Jolla ☐ October 14 - San Diego

Carlsbad Regulatory Mtg.
☒ October 15 - ~~San Diego~~

Name (please print): Andy Hamilton

City: San Diego State: CA Zip: 92131

Organization/Business: APCD

E-mail: andy.hamilton@sdcounty.ca.gov

Address: _____

☒ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

- Induced pedestrian and bike trips outside of scoping area of stations, and safety issues these presents, and traffic issues as well.
- Traffic diversion from airports, net air quality benefits.
- Traffic diversion from local roads and interstates, state highways, etc.
- Parking alternatives, including pricing/management alternatives.
- Likely induced new transit services - trips, person-trips, air quality impacts.
- Likely induced land development near stations, air quality impacts or benefits.

Opportunity to comment on the Urban Design Guidelines?

Santa Fe Depot -

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than November 20, 2009.

Fold and Tape Completely Before Mailing

Kris Livingston

From: Richman, Rachel H. [RRichman@bwsllaw.com]
Sent: Thursday, November 19, 2009 4:48 PM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire
Attachments: Attached.PDF

<<Attached.PDF>>

Rachel H. Richman, Esq.
Partner

3700 Wilshire Boulevard, 10th
444 South Flower Street
Suite 2400
Los Angeles, California 90071-2953
213.236.0600 phone
213.236.2700 fax
213.236.2828 direct
rrichman@bwsllaw.com
www.bwsllaw.com

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IRS Circular 230 Disclosure: In compliance with certain U.S. Treasury regulations, please be informed that unless expressly stated otherwise, any U.S. federal tax advice contained in this communication, including attachments, was not intended or written to be used, and cannot be used, for the purpose of avoiding any penalties that may be imposed by the Internal Revenue Service. In addition, if any such advice is used or referred to by other parties in promoting, marketing or recommending any partnership or other entity, investment plan or arrangement, then (i) the advice should be construed as written and (ii) the taxpayer receiving said communication should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.



BURKE, WILLIAMS & SORENSEN, LLP

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www.bwslaw.com

Direct No.: 213.236.2828
Our File No.: 00006-0001
rrichman@bwslaw.com

November 19, 2009

SENT VIA E-MAIL: comments@hsr.ca.gov

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority

Re: City of Alhambra's Response to California High Speed Rail Authority's
Participating Agency Invitation Letter

Dear Mr. Leavitt:

Our office is City Attorney for the City of Alhambra. This letter is in response to the California High Speed Rail Authority's ("Authority") Participating Agency Invitation Letter for the Los Angeles to San Diego via the Inland Empire High Speed Train Project EIR/EIS ("Project EIR/EIS"). Your letter asks the City to inform the Authority if it has any comment on the Project EIS. The City Council has indicated that they are supportive of the concept of a High Speed Train Project as currently described in the EIS. The City is also supportive of the preferred alignment and the alternative alignment options that are discussed in the Environmental Impact Statement.

In the event that the alignment options change the City of Alhambra reserves its rights to provide comment on the EIR. For example, if the alignment option was altered to run from Union Station along the 10 Freeway passing through California State University at Los Angeles, the City will want to review and provide additional comment on the Project and EIR.

Sincerely,

Rachel H. Richman
City Attorney
City of Alhambra

cc: Julio Fuentes, City Manager
Jessica Keating, Assistant to the City Manager



CITY OF CLAREMONT

Community Development Department

City Hall
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711-0880
FAX (909) 399-5327
www.ci.claremont.ca.us

Building • (909) 399-5471
Planning • (909) 399-5470
Engineering • (909) 399-5465
Community Improvement • (909) 399-5467
Administration • (909) 399-5464

November 19, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Letter also sent via email to:
comments@hsr.ca.gov

Dear Mr. Leavitt:

Los Angeles to San Diego via the Inland Empire Section HST Project EIR/EIS

This purpose of this letter is to provide comments for your use in the development of the scope of the EIS/EIR on the Los Angeles to San Diego via the Inland Empire Section of the proposed California High-Speed Train System (HST.) In particular, our comments address the Alternative Technical Working Group (TWG) Alignment that follows the Metro/Metrolink railroad right-of-way between El Monte and the Ontario Airport. This right-of-way alignment goes through the City of Claremont and Claremont's historic downtown Village. The City of Claremont is strongly opposed to the use of this alignment for the High-Speed Train System, as it would result in very severe environmental impacts on the Claremont community.

Of particular importance is that the right-of-way along this alignment in Claremont is insufficient to accommodate the High Speed Train System. Currently, there are two continuous railroad tracks in the right-of-way through Claremont to serve Metrolink, and two additional tracks are to be added for the Gold Line adjacent to the Metrolink tracks. Planning for the additional Gold Line tracks and the necessary platforms at the Claremont Historic Depot has already been very challenging because of the limited width of the right-of-way in Claremont. To accommodate the Gold Line tracks, the Gold Line Authority is having to purchase additional land from the owners of property along the alignment, which will limit future economic development opportunities in the City's small downtown core. The purchase of even more additional land from adjacent property owners would impact existing development and will have greater economic impacts on the community.

Another challenge has been to maintain Claremont's historic depot as the hub for transit operations in Claremont, and to integrate the use of the depot with the City's historic downtown. Currently, an on-grade pedestrian crossing is the only way access can be

provided to the two Metrolink tracks from the narrow platform at Claremont's historic depot, and Claremont has strongly supported keeping the on-grade crossing for access to the tracks and to provide inter-model connections when the Gold Line tracks are added. Note that there is no reasonable way to tunnel or install an elevator system to provide access to the three narrow platforms given the limited right-of-way.

Technical information about the Gold Line project including right-of-way needs, needed improvements, and environmental issues can be found in Gold Line Phase II Foothill Extension FEIS/FEIR, July 7, 2005. Advanced Conceptual Engineering Drawings of the Claremont station, prepared by Korve Engineering, are also available for your use.

Besides the physical constraints discussed above, the use of the Metrolink alignment for the High Speed Train would have serious adverse impacts on the character and social environment of the City. Claremont has worked continuously since its founding to create and maintain the City as a special place, a true community made up of neighborhoods with a traditional downtown as its core. Interconnectivity between neighborhoods, community design, and historic preservation are especially important in Claremont. The City's built environment has a human scale that contributes to the pedestrian experience and the livability of the City, giving the City a more intimate feel than many other southern California cities.

A high-speed train through the center of Claremont would act as a physical barrier, separating parts of the City. It would reduce the livability of the many quiet residential neighborhoods that abut the Metrolink tracks continuously from the Village core to the City boundaries. These residential neighborhoods are largely made up of modest one-story homes on relatively small properties. There is no way to provide a buffer from the train for the many residents that live adjacent to the tracks, and it would be difficult and very costly to retrofit these homes with new insulation, windows and other improvements to deal with potential noise and vibration impacts.

East and west of the depot, are Indian Hill Boulevard and College Avenue, that have vital at-grade railroad crossings connecting the south Village area to the City's historic core. These two streets also function as major north-south transportation corridors in the City. Further, College Avenue provides a pedestrian access point for Metrolink and the future Gold Line. Congestion and pedestrian safety at these intersections are serious concerns for the community and have been the focus of considerable discussion and study. The addition of a High Speed Train System would greatly increase safety and congestion concerns.

Underpass or overpass crossings at these intersections are not feasible because necessary gradients and clearances for approaches could not be provided, pedestrian and vehicular access to businesses would be eliminated to a large part of the downtown area, substantial changes would be required to the circulation patterns in the downtown Village, and the scale and character of the Village and nearby residential neighborhoods

Mr. Dan Leavitt
November 19, 2009
Page 3 of 3

would be severely impacted. The City would also have congestion and pedestrian safety concerns at the other at-grade railroad rail crossings on Claremont Boulevard and Cambridge Avenue.

Claremont requests as you are preparing your analysis on the Metrolink alignment, that you involve the City in the process. We also request to receive environmental documents and studies that are completed related to this alignment.

Claremont appreciates your consideration of the above comments as you prepare the scoping for the EIR/EIS for High Speed Train. If you have questions about anything discussed in this letter, or if want to discuss any matter related to the Metrolink alignment, please call me at (909) 399-5464.

Sincerely,



Anthony Witt
Community Development Director

c: City Council
Jeffrey C. Parker, City Manager
Tony Ramos, Assistant City Manager
Craig Bradshaw, City Engineer
City of Upland
City of Montclair
City of Pomona



CITY OF COVINA

125 East College Street • Covina, California 91723-2199

www.ci.covina.ca.us

November 18, 2009

Mr. Dan Leavitt
Deputy Director, California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

In response to the Notice of Preparation for the project Environmental Impact Report on the Los Angeles to San Diego segment of the High Speed Train System, the City of Covina would like to express its concerns regarding the use of the Metrolink San Bernardino Line Right of Way through the City of Covina.

An elevated structure adjacent to residential neighborhoods would significantly impact our community. Therefore, I would like to state our opposition to the use of the Metrolink San Bernardino Right of Way as a possible high speed rail corridor.

The City of Covina supports a high speed rail alignment that would use the Interstate 10 corridor and would make a San Gabriel Valley stop at the City of El Monte Bus Terminal. The El Monte Bus Terminal is already the busiest bus terminal west of Chicago and will be rebuilt in the next year, making the El Monte bus terminal the most logical location to take advantage of intermodal connections in the San Gabriel Valley.

We appreciate the opportunity to comment on the High Speed Rail project and look forward to continued communication with the High Speed Rail Authority.

Sincerely,

Daryl Parrish
City Manager
City of Covina

Kris Livingston

From: Hal Fredericksen [hal@ci.la-verne.ca.us]
Sent: Thursday, November 19, 2009 6:42 PM
To: HSR Comments
Cc: City Manager Martin R. Lomeli; Eric Scherer; Arlene Andrew
Subject: LA-SD HST Section via the Inland Empire- La Verne, California Comments

To Mr. Dan Leavitt, Deputy Director, HST Project:

Thank you for the opportunity to review and comment on the proposed LA-SD High Speed Train project and the potential for an alternative route through La Verne, California. While it appears that this alternate route would be an unlikely route for the project, we wish to comment nonetheless given the potential, as follows:

1. The City of La Verne wishes to continue as a Participating Agency, and to be informed relative to all project information, CEQA/NEPA process and documents, and all hearings and meetings relative to the route through La Verne, California.
2. The City requests that the evaluation of the project and associated environmental documents address all relevant matters, including but not limited to :
 - a. Coordination with the proposed nearby Gold Line light rail lines that will be in close proximity and some cases directly adjacent to the proposed high speed train line.
 - b. Aesthetics
 - c. Potential disruption to existing land uses, including housing and commercial/industrial uses.
 - d. Noise
 - e. Aesthetics
 - f. Necessary grade separations
 - g. Possible loss of mature trees
 - h. Potential traffic impacts

The City of La Verne looks forward to participating in the planning for this project. Please direct all correspondence to:

Hal G. Fredericksen
Community Development Director
City of La Verne
3660 D Street
La Verne, CA 91750

hal@ci.la-verne.ca.us
(909) 596-8706

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire section.

Project EIR/EIS Public Scoping Meetings

Monday, October 26

City of West Covina

City Hall First Floor

1444 W. Garvey Avenue

West Covina, California 91790

3:00 p.m. - 7:00 p.m.

COMMENT:

Sharon Gardner: 717 North Edenfield Avenue, Covina 91823.

I would be very much against having the High Speed
rail on the Metro link line. Because in order to put a
line in there, they would have to take out the homes along
the Metro line. So, I would be against that. I would be
against loosing my home.

1 COMMENTS:

2 David Avila: 3848 Paddy Lane, Baldwin Park, California
3 91706.

4
5 My concern or comment is that where the train's
6 going to run by our homes, due to the fact that we already
7 have Metro link running behind our homes, And the problem
8 we have with Metro link is they just blow those horns from
9 5:00 in the morning, and that guy falls asleep on the
10 horn. I'm from here to that back area (indicating), which
11 is my back fence and we hear them and they're very loud.

12 My concern is they need to -- if these guys run on
13 the same tracks, what kind of noise control are they going
14 to have?

15 I would like to see both Metro link and this have
16 quiet zones.

17 The speed is also a concern because of the
18 schools. Kids would go walking back and forth, so if the
19 tracks are open, they won't be able to stop for the kids
20 or anybody. And it's hard to keep the kids out of there.

21 I don't know what line they are going to use, but
22 the least I would believe it should be the Metro link line
23 from El Monte to the Covina station. It seems like that's
24 one of the alternatives, though. Maybe it will be the
25 best, I don't know.

1 I'm hoping they don't use that line. The other
2 two lines seem more appropriate because there a lot of
3 space.

4 Underground would be very expensive and above
5 ground would drop the home values in the neighborhood.
6 So, that's also a concern for us.

7 Pretty much, that is it. Like I said, speed and
8 noise are the two main factors that we are concerned about
9 in our backyards.

10
11 * * * * *

STATE OF CALIFORNIA)
) SS.

COUNTY OF LOS ANGELES)

I, PAULETTE VANTON, Certified Shorthand Reporter
No. 6962 in the State of California, duly empowered to
administer oaths, certify:

That said Scoping Meeting was taken before me at the time and place therein set forth and was taken down by me in shorthand and thereafter transcribed under my direction and supervision, and I hereby certify that the foregoing deposition is a full, true, and correct transcript of my shorthand notes so taken.

I further certify that I am neither counsel for, nor related to any party to said action, nor in anywise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my
name on this 29th day of October 2009.

PAULETTE VANTON, CSR NO. 6962

Leavitt
HSR LA-SD (NOP) for
November 19, 2005
Page 1



State of California • The Resources Agency

Arnold Schwarzenegger, Governor

DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001

Ruth Coleman, Director

November 19, 2009

Dan Leavitt
Deputy Director,
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento CA, 95814

Re: Comment Letter for Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA

Dear Mr. Leavitt,

The San Diego Coast District of California State Parks (CSP) welcomes the opportunity to comment on the Notice of Preparation for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA (NOP). Several issues with regard to the San Diego Coast District require consideration: Careful analysis of potential Impacts to Old Town San Diego State Historic Park and Torrey Pines State Natural Reserve, and design of appropriate minimization, avoidance or mitigation measures.

Old Town San Diego State Historic Park

The EIR/EIS should address potential impacts associated with the HSR project to Old Town San Diego State Historic Park. The HSR alignment occurs directly adjacent to Old Town San Diego SHP within the City of San Diego. Because this area already supports several major transportation facilities (Interstate 5, the San Diego Trolley, Amtrak, the Coaster, Surfliner, and a bus transfer station, the location of the HSR would seem to be appropriate. The main concern with the HSR in this location is the threat to our operational activities, and aesthetic, historic and interpretive resources. Potential impacts that must be addressed include noise, vibration, air pressure, and air quality, as well as traffic delays and public access. Additionally, short-term construction-related impacts including losses of parking and visitation should be addressed. Thoughtful and well-conceived mitigation will be needed to resolve these issues.

Leavitt
HSR LA-SD (NOP) for
November 19, 2005
Page 1

Torrey Pines State Natural Reserve

The Proposed HSR alignment follows and crosses Carroll Canyon which is a tributary to the Los Peñasquitos Lagoon within Torrey Pines State Natural Reserve. The Lagoon is currently threatened by sediment and increased freshwater due to upstream development. The proposed project design should minimize impervious surfaces and strive to eliminate any new sources of urban runoff or sediment. The EIR/EIS should address all potentially significant downstream environmental effects associated with the proposed alignment.

Thank you for the opportunity to comment on the project. If you have further questions or would like elaboration on the above-mentioned issues please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ronilee Clark", with a long horizontal flourish extending to the right.

Ronilee Clark, District Superintendent
California State Parks, San Diego Coast District

CC:

Rich Dennison
Bill Mennell
Therese Muranaka
Jeanne Akin
Reading File



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **LD-1**

November 19, 2009

Mr. Dan Leavitt, Deputy Director
Attention LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

**NOTICE OF PREPARATION (NOP)
ENVIRONMENTAL IMPACT REPORT (EIR)/
ENVIRONMENTAL IMPACT STATEMENT (EIS)
CALIFORNIA HIGH SPEED TRAIN PROJECT FROM
LOS ANGELES TO SAN DIEGO VIA THE INLAND EMPIRE**

Thank you for the opportunity to review the NOP for the California High-Speed Train project from Los Angeles to San Diego via the Inland Empire. The project proposes the construction, operation, and maintenance of the High-Speed Train system including track and ancillary facilities along the Union Pacific Railroad Company/Interstate 215/Interstate 15 corridor from Los Angeles to San Diego.

The following comments are for your consideration and relate to the environmental document only:

Hazards-Flood/Water Quality

- The project EIR/EIS should address the impact of discharges from the project into the Los Angeles County Flood Control District's (LACFCD) drainage system including any increase in the volume discharged and the introduction of pollutants with the project discharges. The project EIR/EIS should explain how the project will ensure that discharges from the project site will meet all applicable receiving water body, water quality standards.

Mr. Dan Leavitt
November 19, 2009
Page 2

- The project EIR/EIS should also detail any impacts that the project development would have on LACFCD properties including any proposed easements or connections to the system.

If you have any questions regarding flood hazard requirements, please contact Ms. Lindsay Sagorski at (626) 458-4319 or by e-mail at lsagorski@dpw.lacounty.gov.

Hazards-Geotechnical/Soils/Geology

We concur that an EIR/EIS is required. All or portion of the site is located within potentially liquefiable areas per the State of California Seismic Hazard Zones Map—Los Angeles, El Monte, Baldwin Park, San Dimas, La Habra, and Yorba Linda Quadrangles. Geotechnical reports should be included in the EIR/EIS as necessary.

If you have any questions regarding soils and geology, please contact Mr. Jeremy Wan at (626) 458-4972 or by e-mail at jwan@dpw.lacounty.gov.

Services-Road/Flood Maintenance

Part of the proposed project is outside of the LACFCD. We will provide detail evaluation when the project alignment is available. Permits from Public Works' Construction Division will be required for all works affecting County roads or the LACFCD. Submit construction plans and/or documents for any proposed construction affecting County roads or flood control facilities to Public Works for review and approval prior to construction.

If you have any questions regarding road permits, please contact Ms. Maryam Adhami at (626) 458-3129 or by e-mail at madhami@dpw.lacounty.gov.

Other-Programs Development

The following planned Public Works road construction projects may be impacted by the High-Speed Train project:

- Nogales Street at Railroad Street
- Nogales Street (LA Subdivision) Grade Separation—ACE Projects
- Fullerton Road Grade Separation Project

Mr. Dan Leavitt
November 19, 2009
Page 3

Therefore, the lead agency must coordinate with Public Works to ensure that design and construction schedule of the HST does not conflict with the planned road construction projects.

If you have any questions regarding above road construction projects comment, please contact Mr. Phil Doudar at (626) 458-5926 or by e-mail at pdoudar@dpw.lacounty.gov.

Please forward the draft EIR/EIS, when it is available, to Public Works. If you have any other questions or require additional information, please contact Mr. Toan Duong at (626) 458-4921 or by e-mail at tguong@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

A handwritten signature in blue ink, appearing to read "Dennis Hunter", is written over a large, faint, oval-shaped stamp.

DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

JY:ca

P:\ldpub\CEQA\CDM\California High-Speed Rail Authority_LOS ANGELES TO SAN DIEGO_NOP.doc



Metro

November 30, 2009

Mr. Mehdi Morshed, Executive Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Scoping Comments on Proposed California High Speed Rail Project in the Los Angeles to San Diego Section

Dear Mr. Morshed:

The Los Angeles County Metropolitan Transportation Authority (LACMTA) supports the High Speed Train (HST) project in concept and believes that, if properly planned and implemented, it has the potential to enhance statewide transportation and regional mobility and to improve the quality of life in California. We have specific concerns with the Los Angeles County alignments that are proposed for study in the Los Angeles to San Diego section.

Our comments through the Scoping Phase are as follows:

- We want to ensure that an adequate number of potential horizontal alignments are studied in this process. The alignments proposed for study to date within Los Angeles County include a State Route 60 alignment and a Union Pacific right-of-way alignment. An I-10 alignment originating from Union Station in downtown Los Angeles and running east toward San Bernardino County should be included in the alternatives.
- There is a concern that the brevity of the proposed Alternatives Analysis and Environmental Impact Report/Environmental Impact Study (EIR/EIS) schedule may preclude conducting the necessary analyses at the depth necessary to ensure that local concerns and issues have been fully considered and adequately addressed, either in modification of the proposed alignment or appropriate mitigations. We believe the schedule should be adjusted to provide sufficient time to document and prioritize concerns that arise to ensure credibility in the study process. Prior to the publication of the draft Alternatives Analysis, the process must first allow for the Technical Working Groups to work with the California High Speed Rail Authority (CHSRA) on different iterations of alignments and track structures that will reduce negative community impacts. Second, the process must provide ample time for city technical staff to interface with and receive direction from their respective City Managers and for the City Managers to interface with and receive direction from their respective City Councils. Finally, the process must provide sufficient time for cities to receive community feedback.
- Station location considerations should include a detailed analysis of the capacity and capability of local transit service linkages to connect HST patrons to and from the train and their originations/destinations. We do not support a prior conclusion that the primary mode of access to HST stations will be or should be by private car. The analysis should be consistent with the goals of AB 32 and SB 375 and focus on

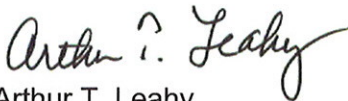
measures that would reduce vehicle miles traveled and vehicle trips to, from and within the HST station areas. Concurrent with this, the analysis should also look not only at land use impacts as a result of developing the HST, but on land use opportunities that can better support the HST system and benefit local jurisdictions. This analysis should also include consideration of how to make local jurisdictions whole from the effects of any relocation of business and housing.

- Finally, all segments of the HST system will benefit by improved service in the LOSSAN corridor between Los Angeles – Anaheim – San Diego. The Authority should support and assist in funding betterments in this corridor that will improve connectivity with the high speed trains; improve on time performance south of Anaheim; improve train speeds; improve single track to double and triple track; and reduce freight train traffic interference with passenger rail. To that end, the Authority should take the initiative to target such improvements in the LOSSAN corridor through the use of Proposition 1A funds that are dedicated to improving intercity and commuter service for direct connectivity to HST and to enhance capacity and safety in these corridors. Proposition 1A provides up to \$950 million statewide for such capital improvements, of which approximately \$142,500,000 (20% of \$950 million less \$47.5 million formula allocation) could be sought after and dedicated in the LOSSAN corridor to further augment the share Caltrans will receive through a formula allocation for intercity Amtrak service on the LOSSAN corridor.

We appreciate the CHSRA's commitment to working collaboratively with the LACMTA and the local communities to determine the best possible HST alignment from Los Angeles to San Diego. We believe it is vitally important to strive to achieve consensus among the various jurisdictions that will be directly affected by the proposed alignment and to take account of their issues in the environmental analysis, rather than after-the-fact. This approach will help ensure the widest cooperation and acceptability of the Locally Preferred Alternative in the shortest timeframe and help ensure that the actual construction of the HST can occur in the desired timeframe.

We look forward to working with you throughout the environmental review process and beyond. If you have any questions please feel free to contact my high speed rail designee Alex Clifford at (213) 922-7491 or at clifforda@metro.net.

Sincerely,



Arthur T. Leahy
Chief Executive Officer

cc: Alex Clifford, Executive Officer – High Speed Rail
Dan Leavitt, Deputy Executive Director, CHSRA
Genoveva Arellano, Principal – Arellano Associates
Valerie Martinez, CEO – VMA Communications



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

November 9, 2009

Dan Leavitt, Deputy Director
ATTN: Los Angeles to San Diego via Inland Empire HST
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

SUBJECT: Notice of Preparation, Los Angeles to San Diego via the Inland Empire Section of High-Speed Train

Dear Mr. Leavitt,

The Department of Regional Planning (Department) appreciates the opportunity to provide comment on the California High Speed Rail Authority's Notice of Preparation for the Los Angeles to San Diego via the Inland Empire section of the proposed High-Speed Train.

Due to the absence of precise route locations through Los Angeles County, as well as the exact vertical profile of the line through the various communities, the Department does not have specific comments at this time. We do have concerns regarding the Project's potential to create significant impacts pertaining to noise, visual, traffic, and community division concerns and would like the draft environmental impact report (DEIR) to analyze these impacts. Moreover, the Department would like to remain informed of on-going developments pertaining to this project and may provide further comments in the future. Furthermore, the Department will provide comment on the release of the DEIR. We look forward to working with your agency regarding this important transportation project.

Notice of Preparation, Los Angeles to San Diego via the Inland Empire Section of High-Speed Train
Page 2

If you need further clarification, please contact Anthony Curzi of my staff at (213) 974-6461 or at acurzi@planning.lacounty.gov between 7:30 a.m. and 5:30 p.m., Monday through Thursday. Our offices are closed on Friday.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Jon Sanabria

Acting Director of Planning



Paul McCarthy, Supervising Regional Planner
Impact Analysis Section

JS:PM:amc

c: Dorothea Park, Assistant Division Chief, CEO



Los Angeles
World Airports

November 20, 2009

Mr. Dan Leavitt
Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street
Suite 1425
Sacramento, CA 95814

LAX

LA/Ontario

Van Nuys

City of Los Angeles

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Mayor

Board of Airport
Commissioners

Alan I. Rothenberg
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Michael A. Lawson
Sam Nazarian
Fernando M. Torres-Gil
Walter Zifkin

Gina Marie Lindsey
Executive Director

Re: Comments on the Scope of the Environmental Impact Report/
Environmental Impact Statement for the California High-Speed Train Project from
Los Angeles to San Diego via the Inland Empire

Dear Mr. Levitt:

Los Angeles World Airports (LAWA) has completed its review of the California High-Speed Rail Authority's Notice of Preparation (NOP) of an Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) for the California High-Speed Train (HST) Project from Los Angeles to San Diego via the Inland Empire.

LAWA, as a key entity in the Southern California transportation network and the Responsible Agency for Ontario International Airport, is interested in the success of the proposed project. LAWA is encouraged that the build alternatives to be studied in EIR/EIS include a HST station at LA/Ontario International Airport (ONT).

The EIR/EIS should discuss and evaluate the demand relationship between air passenger traffic at ONT and passengers using High-Speed Rail. The document should include alternative methods of connecting passengers between the station and the airport terminals. The document should also discuss parking demand at the ONT and other proposed HST stations.

The EIR/EIS must address coordination with the proposed Gold Line Light Rail extension to ONT Airport. LAWA looks forward to working with the California High-Speed Rail Authority, the City of Ontario, the Metro Gold Line Foothill Extension Construction Authority and other stakeholders to plan an intermodal station with seamless connectivity between the rail modes and the airport.

In addition, we encourage review of synergy between the High-Speed Train and a potential shuttle bus service between ONT and the City of Anaheim, and how both modes might benefit.



November 20, 2009
Mr. Dan Leavitt
Page 2

There are several other issues that LAWA believes require investigation in the EIR/EIS. These include:

- A detailed account of the ground access impacts at ONT Airport, including both the benefits from improved access and the potential problems with increasing the non-airport related trips to the HST station.
- A technical review of any impact the HST technology could have on the air traffic control system.
- An investigation to ensure compliance with Federal Aviation Administration height restrictions and clear zone restrictions.
- A review of land use/zoning restrictions.
- Noise impacts in combination with airport generated noise contours.
- A fully quantified analysis of the environmental benefits of diverting air passengers to rail, including air quality benefits.

We appreciate the opportunity to review this Notice of Preparation, and we look forward to providing our assistance during the EIR/EIS process. If you have any questions, please contact Mr. Patrick Tomcheck of my staff at (424) 646-5192.

Sincerely,



Michael Feldman
Deputy Executive Director

MF:pt:oc

cc: Steve Martin
Jess Romo
Michael Molina
Peggy Ducey
Pat Tomcheck
Airports and Facilities Planning - file



San Gabriel Valley Council of Governments

3452 East Foothill, Suite 910, Pasadena, California 91107-3142 Phone: (626) 564-9702 FAX: (626) 564-1116 E-Mail SGV@sgvcog.org

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Walnut

West Covina

First District, LA County

Unincorporated Communities

Fourth District, LA County

Unincorporated Communities

Fifth District, LA County

Unincorporated Communities

SGV Water Districts

EXECUTIVE DIRECTOR

Nicholas T. Conway

November 20, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
Attn: Los Angeles to San Diego Section EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

On behalf of the San Gabriel Valley Council of Governments (SGVCOG), thank you for the opportunity to comment on the California High-Speed Rail Project. At our November meeting, the Governing Board unanimously voted to "support in concept" the California High Speed Rail Project, including the Los Angeles to San Diego Segment, which is to be routed through and include at least one station in the San Gabriel Valley. We look forward to working with the CHSRA to address the operational and environmental issues, including train speeds, noise and grade separations, as well as specific routing, right-of-way and station identification issues associated with this project.

Should you have any questions or wish to discuss this further, please contact me at (626) 564-9702.

Sincerely,

Thomas P. King, President



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by November 20, 2009 (return address is on the reverse side of this form).

Name (please print): THOMAS DANNA City: ONTARIO State: CA Zip: 91764
Organization/Business: CITY OF ONTARIO E-mail: TDANNA@CI.ONTARIO.CA.US
Address: 303 EAST B STREET

☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

WOULD WELCOME A FUTURE MTG. W/ PROJECT STAFF TO
DISCUSS ONTARIO AIRPORT STATION SITE PLANNING
AT THE APPROPRIATE TIME IN THE PROCESS.

ONTARIO AIRPORT STOP IS A MUST AND STRONGLY
SUPPORTED BY THE CITY.

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than November 20, 2009.

Fold and Tape Completely Before Mailing

Kris Livingston

From: Swanson, Tina (LLU) [tswanson@llu.edu]
Sent: Friday, November 20, 2009 9:24 AM
To: HSR Comments
Cc: Hanna, Myrna; dailey_ca@sbcity.org
Subject: LA-SD HST Section via the Inland Empire
Attachments: CHST-Support Letter-Dan Leavitt 2009-11-19.pdf

Mr. Dan Leavitt
California High-Speed Rail Authority

Please see attached letter of support from Dr. Richard Hart, President, Loma Linda University and Medical Center, regarding the CHST rail alignment in the Inland Empire.

Cordially,

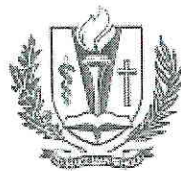
Tina M. Swanson

Tina M. Swanson, Senior Executive Assistant

LOMA LINDA UNIVERSITY | Office of the President

Magan Hall, Room 111, Loma Linda, California 92350

Phone (909) 558-4540 (x44540) | Fax (909) 558-0242 (x80242) | Email tswanson@llu.edu



LOMA LINDA UNIVERSITY

November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: Los Angeles to San Diego via the Inland Empire Section HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: HST Project EIR/EIS Public Scoping Comments – Los Angeles to San Diego via the
Inland Empire Section – California High-Speed Train System

Dear Mr. Leavitt:

This comment letter is submitted in response to the Notice of Preparation (NOP) being issued by the California High-Speed Rail Authority ("Authority") for the project Environmental Impact Report/Statement (EIR/EIS) for the Los Angeles to San Diego via the Inland Empire Section of the proposed California High-Speed Train (CHST) system.

Loma Linda University (LLU) is a Seventh-day Adventist educational health sciences institution with more than 4,000 students located in the San Bernardino Valley. Students from more than 80 countries around the world and virtually every state in the nation are represented in the student body. The Loma Linda University campus also contains the Loma Linda University Medical Center (LLUMC). LLUMC operates some of the largest clinical programs in the United States in areas such as neonatal care and is recognized as the international leader in infant heart transplantation and proton treatments for cancer. Each year the institution admits more than 33,000 inpatients and serves roughly half a million outpatients. As the only tertiary-care hospital in the area, LLUMC is the only level one regional trauma center for Inyo, Mono, Riverside, and San Bernardino counties.

LLU and LLUMC are very interested in ensuring the CHST alignment through the Inland Empire maximizes the ability of thousands of students, faculty, staff, patients, and visitors who daily commute to LLU and LLUMC from throughout Southern California to access the campus by means of mass transit. To this end, LLU and LLUMC have strongly supported the development of the sbX rapid transit bus line that will connect the campus directly with the Multi-Modal Transit Center in downtown San Bernardino.

A Seventh-day Adventist Institution

OFFICE OF THE PRESIDENT | Loma Linda, California 92350
(909) 558-4540 • fax (909) 558-0242 • www.llu.edu

Mr. Dan Leavitt
November 19, 2009
Page 2 of 2

We have reviewed the attached comment letter prepared by the City of San Bernardino related to the CHST alignment and the critical need for a CHST station at the Multi-Modal Transit Center in downtown San Bernardino. We wholeheartedly agree with the comments and analysis in the City's letter and the conclusion that it would be difficult to imagine how the adopted objectives for the CHST could be optimized for the Inland Empire Section of the CHST unless the alignment connects through San Bernardino's Multi-Modal Transit Center.

LLU and LLUMC are eager to participate in the ongoing analysis of the alignment and station alternatives for the Inland Empire Section of the CHST. We look forward to working with the Authority on this exciting project.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Hart", is positioned above the typed name.

Richard H. Hart, MD, DrPH
President and CEO

Kris Livingston

From: Al Karnig [akarnig@csusb.edu]
Sent: Thursday, November 19, 2009 3:08 PM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire



CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO
Office of the President
November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: Lo Los Angeles to San Diego via the Inland Empire Section HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: HST Project EIR/EIS Public Scoping Comments – Los Angeles to San Diego via the
Inland Empire Section – California High-Speed Train System

Dear Mr. Leavitt:

This comment letter is submitted in response to the Notice of Preparation (NOP) being issued by the California High-Speed Rail Authority ("Authority") for the project Environmental Impact Report/Statement (EIR/EIS) for the Los Angeles to San Diego via the Inland Empire Section of the proposed California High-Speed Train (CHST) system.

California State University, San Bernardino (CSUSB) is one of the fastest growing universities in California, and the largest in the Inland Empire, primarily because of its expanding service area of San Bernardino and Riverside counties, which covers 27,000 square miles – a territory larger than 10 states in the nation and more populated than 24 states.

Our enrollment consists of 41 percent Latinos (the second greatest is California) and 13 percent African Americans (the third highest in the State). Founded in 1965, CSUSB currently enrolls 18,000 students and employs more than 2,100 faculty and staff on our 441-acre campus in northern San Bernardino.

CSUSB is very interested in ensuring the CHST alignment through the Inland Empire maximizes the ability of thousands of students, faculty, staff, and visitors who daily commute to our campus from throughout Southern California, to access CSUSB by means of mass transit. To this end, CSUSB has strongly supported the development of the sbX rapid transit bus line that will connect the CSUSB campus directly with the Multi-Modal Transit Center in downtown San Bernardino.

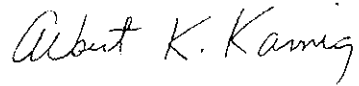
We have very closely reviewed the comment letter prepared by the City of San Bernardino related to the CHST alignment and the critical need for a CHST station at the Multi-Modal Transit Center in downtown San Bernardino. We are in perfect agreement with the comments and analysis in the City's letter, and the conclusion that it would be difficult to imagine how the adopted objectives for the CHST could be optimized for the Inland Empire Section of the CHST unless the alignment connects through San Bernardino's Multi-Modal Transit Center.

CSUSB is eager to participate in the ongoing analysis of the alignment and station alternatives for the Inland Empire Section of the CHST. We look forward to working with the Authority on this exciting project.

I would be pleased to answer any questions you may have.

Best wishes on meeting the goals of this profoundly important project.

Sincerely,

A handwritten signature in cursive script that reads "Albert K. Karnig".

Albert K. Karnig
President



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by November 20, 2009 (return address is on the reverse side of this form).

Name (please print): Bruce Meikle City: Redlands State: CA Zip: 92373

Organization/Business City of Highland E-mail: _____

Address: 810 W. Clifton Ave., Redlands, CA 92373

☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

As a resident of the East San Bernardino Valley area I support the Technical Working Groups' alternative proposal to bring the California High Speed Rail to the City of San Bernardino. The residents in the City of San Bernardino and in the surrounding growing cities of Highland, Loma Linda, Redlands, Yucaipa, etc. need convenient access to High Speed Train without having to get in a car and drive our already congested freeways to stations in Ontario or Riverside. In addition, one of the main reasons the City of San Bernardino exists is because of its convenient geographic location at the crossroads of the Cajon and San Geronimo Passes. The Cajon Pass provides convenient access to residents in the growing high desert cities of Adelanto, Hesperia, Victorville, etc. and the San Geronimo Pass provides easy access for the residents of the low desert cities of La Quinta, Palm Desert, Palm Springs, Rancho Mirage, etc. These desert area residents also need easier access to High Speed Train without driving further to Ontario or Riverside.

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than November 20, 2009.

Fold and Tape Completely Before Mailing



**OFFICE OF THE MAYOR
PATRICK J. MORRIS**

300 North D Street
San Bernardino, CA 92418
(909) 384-5133 • Fax (909) 384-5067
www.sbcity.org

November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: Los Angeles to San Diego via the Inland Empire Section HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: HST Project EIR/EIS Public Scoping Comments – Los Angeles to San Diego via the
Inland Empire Section – California High-Speed Train System

Dear Mr. Leavitt:

This comment letter is submitted in response to the Notice of Preparation (NOP) being issued by the California High-Speed Rail Authority (“Authority”) for the project Environmental Impact Report/Statement (EIR/EIS) for the Los Angeles to San Diego via the Inland Empire Section of the proposed California High-Speed Train (CHST) system.

The final statewide program EIR/EIS states that the purpose of the CHST is to:

[P]rovide a reliable mode of travel, which links the major metropolitan areas of the state, and delivers predictable and consistent travel times. A further objective is to provide an interface with commercial airports, mass transit and the highway network and relieve capacity constraints of the existing transportation system as increases in intercity travel demand in California occur, in a manner sensitive to and protective of California’s unique natural resources. (*“Purpose of High-Speed Train System,” CHST Final Statewide EIR/EIS, Section 1.2.1.*)

The City of San Bernardino is very interested in ensuring the CHST alignment through the Inland Empire Section optimizes the purposes and objectives for the CHST as adopted by the Authority. The Riverside-San Bernardino-Ontario Metropolitan Statistical Area (MSA) of the Inland Empire is home to over four million people, and is the second largest MSA in Southern California (after the Los Angeles-Long Beach-Glendale MSA) and the fourteenth largest in the nation. Based on the 2000 census, the Riverside-San Bernardino Urbanized Area had the second highest population density in Southern California, and since the 2000 census, the Riverside-San Bernardino area has experienced a 25.4% growth in population – over four times the growth rate of other areas in Southern California. Therefore, how the Inland Empire is connected to the CHST is critical for the success of CHST.

The City of San Bernardino strongly believes that to maximize the CHST project objectives adopted by the Authority, the Inland Empire Section of the CHST requires a route alignment that includes a CHST station in downtown San Bernardino. A CHST route alignment that includes a station in downtown San Bernardino is critical to the overall success of the CHST, because a station in downtown San Bernardino optimizes the multiple objectives adopted by the Authority for the CHST like few other proposed station locations.

The following are the adopted objectives for the CHST as set forth in the Final Statewide Program EIR/EIS, and how an Inland Empire Section alignment with station in downtown San Bernardino optimizes the adopted objectives.

1. *"Provide intercity travel capacity to supplement critically over-utilized interstate highways and commercial airports." ("Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.)*

Downtown San Bernardino lies at the intersection to three critical interstate highways: the Interstate 10 Freeway, the Interstate 210 Freeway, and the Interstate 215 Freeway. These interstate highways are not only critical backbones of our state's transportation infrastructure, but they are also critical components of the federal interstate highway system. Downtown San Bernardino also lies at the cross-roads of two of the four transportation passages into and out of Southern California (the only other two are in north Los Angeles and eastern San Diego). Thus, locating a station in downtown San Bernardino provides the ability of both intrastate and interstate highway traffic to quickly access the CHST and thereby maximize the amount of vehicular traffic the CHST can remove from our interstate highways in Southern California.

A station location in downtown San Bernardino also optimizes the objective to relieving congestion for critically over-utilized commercial airports. San Bernardino International Airport (SBIA) is located only 2.5 miles from downtown San Bernardino. SBIA is finishing the construction of brand new commercial passenger terminal with four gates that can easily be expanded to ten gates. The airport is completing negotiations with a major airline to commence commercial passenger service from the airport beginning next year. The recommended regional aviation demand forecasts in the 2008 Regional Transportation Plan prepared by the Southern California Associated Governments (SCAG) projects that by 2035, San Bernardino International Airport will be the fourth largest airport in the region for passenger travel and the third largest for air cargo. Additionally, SBIA is finishing construction on one of the largest corporate jet facilities in Southern California, operated by Million Air, which will include a fulltime United States Customs facility for international travel and commerce. The city, county, and airport authority are currently discussing various options for mass transit connectivity between downtown San Bernardino and San Bernardino Airport.

If the CHST alignment through the Inland Empire fails to include a station in downtown San Bernardino, the state will lose a critical opportunity to connect the CHST system to a

passenger airport with significant *existing and future capacity* that can relieve congestion at other Southern California airports that are operating at or close to their design limits or legal restrictions, including Los Angeles International Airport, San Diego-Lindbergh Field Airport, Burbank-Glendale-Pasadena Airport, John Wayne Airport, and Long Beach Airport.

2. *"Meet future intercity travel demand that will be unmet by present transportation systems and increase capacity for intercity mobility."* (*"Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.*)

Maximizing the objective of meeting future intercity travel demand through capacity created by the CHST requires understanding and designing the CHST around areas of future growth in California. To this end, the 2008 Business Plan for the CHST acknowledges that various regions throughout California have developed regional blueprints for growth "that focus on supporting existing downtowns and increasing transit ridership as critical ways for future growth to be environmentally and economically sustainable." (*"Total Transportation Approach," California High-Speed Train Business Plan, November 2008, p. 7.*)

For the over 18 million residents of the Los Angeles Basin, the Compass Blueprint prepared by the Southern California Associated Governments (SCAG) identifies the "strategic growth opportunity areas" in the five-county region where growth will best serve the mobility, livability, prosperity and sustainability goals of the region. (*SCAG Compass Blueprint, 2004.*) To help implement this sustainable growth strategy, SCAG developed a land use model that generated maps identifying the strategic growth opportunity areas for the region. The map for the Inland Empire identifies the 2.5 mile radius around downtown San Bernardino as one of the key sustainable growth areas not only for the Inland Empire, but for the entire SCAG region. A 2007 study funded by SCAG included a "carrying capacity" analysis of the half-mile radius around the center of downtown San Bernardino. The analysis found that over the next 20 years 3,700 new residential units, half million square feet of commercial, and almost 1.5 million square feet of office space could be added to this core area of downtown San Bernardino. (*Compass Blueprint: From Transit Station to Transit Village, A Recommendations Report for the E Street Station in the City of San Bernardino, January 2007, p. 20.*)

In furtherance of the Compass Blueprint strategy, the City of San Bernardino has moved aggressively to develop plans for dense, mixed-use transit-oriented development in its downtown center. Several of the major reasons downtown San Bernardino was identified by SCAG as a top strategic growth opportunity area include the city's growing multi-modal transportation system, its immediate adjacency to several major interstate highways, and the availability significant open or underdeveloped areas within the downtown center that can accommodate much higher density of mixed-use urban development.

Thus, for the CHST to maximize its objective of meeting future intercity travel demand, it is critical the CHST alignment through the Inland Empire include a station in downtown San Bernardino. Leaving this major urban growth center unconnected to the CHST system would

be completely inconsistent with SCAG's Compass Blueprint for the region, and would undermine the ridership and growth opportunities objectives of the CHST.

3. *"Maximize intermodal transportation opportunities by locating stations to connect with local transit, airports, and highways." ("Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.)*

This objective for CHST station locations is elaborated upon in the 2008 Business Plan for the CHST:

Connections with other rail and urban transit lines as well as good freeway and highway access will be critical to realizing the promise of a coordinated high-speed transportation system. High-speed train stations in California will be multi-modal transportation hubs. To meet the Authority's adopted objectives, the locations ... selected as potential high-speed train stations would provide linkage with local and regional transit, airports and highways. In particular, convenient links to other rail services (heavy rail, commuter rail, light rail and conventional intercity) would promote transit-oriented development at stations by increasing ridership and pedestrian activity at these hub stations.

The high-speed train system complements and will actually promote the use of the State's existing conventional intercity rail, commuter rail, and transit networks.... There is a great synergy between high-speed train and multi-stop transit systems and commuter rail services. These commuter-oriented services will be important feeder and distribution systems for the high-speed train system within urban areas. (*"Total Transportation Approach," California High-Speed Train Business Plan, November 2008, pp. 1 and 8.*)

To meet CHST purpose recited above, it is incumbent that a CHST station be located in downtown San Bernardino. There is no other location in the Inland Empire that has or will have the transit connectivity of downtown San Bernardino. A recent SCAG study by the Center for Transit-Oriented Development found that downtown San Bernardino had a transit connectivity index 350% higher than most other regions in SCAG because of its transit assets and physical configuration. (*SCAG Region: Compass Blueprint Case Study - Downtown San Bernardino, March 2008, p. 14.*) The following discussion examines why downtown San Bernardino has a very high transit connectivity index.

Downtown San Bernardino is in the midst of being developed as a major regional multi-modal transit hub for the Inland Empire. The multiple transit projects being developed in this region (discussed below) are interconnected through a Multi-Modal Transit Center in downtown San Bernardino. The Multi-Modal Transit Center is a collaboration between the regional bus provider for the San Bernardino Valley, Omnitrans, the San Bernardino Associated Governments (SANBAG), and the City of San Bernardino. The property for the Multi-Modal Transit Center has been purchased and is located at the southwest corner of E

Street and Rialto, in the center of downtown San Bernardino. The location is just blocks from the existing state, county, and city government centers in downtown San Bernardino, and is ideally sited to serve as a walk-on/walk-off transit center for the entire downtown area as it develops out over the next 30 years as contemplated by SCAG's Compass Blueprint. Preliminary design and engineering for the Multi-Modal Transit Center is underway, and it includes the planning of the immediate adjacent transit-oriented development opportunities.

The following is a summary of the various transit systems that will be interconnected through Multi-Modal Transit Center in downtown San Bernardino.

- A. sbX Bus Rapid Transit Service. In 2010, Omnitrans will commence construction on the sbX bus rapid transit (BRT) system, the first BRT system east of Los Angeles. The first BRT line is a 16-mile corridor connecting California State University, San Bernardino and Loma Linda University and Medical Center with downtown San Bernardino. The \$180 million E Street Line will be operational by 2013. There are ten BRT's lines planned for the sbX system in the San Bernardino Valley over the next twenty years. Three of the ten BRT lines will connect through the Multi-Modal Transit Center: the E Street Line (about to be constructed), the Foothill Line East (funded and next in priority for construction), and the San Bernardino Avenue Line.
- B. Metrolink Commuter Rail Service. SANBAG recently appropriated the funds necessary to move the three Metrolink commuter rail lines that originate and terminate in San Bernardino to the downtown Multi-Modal Transit Center (the platforms are currently located one mile west of the transit center at the historic Santa Fe Depot). Four Metrolink platforms will be constructed at the Multi-Modal Transit Center to accommodate the following Metrolink lines that provide commuter rail service from downtown San Bernardino to the rest of Southern California: (i) the San Bernardino Line to downtown Los Angeles, with the highest ridership in the Metrolink system, (ii) the Inland Empire-Orange County Line to south Orange County, and (iii) the 91 Line to north Orange County and downtown Los Angeles.
- C. Local Light Rail Service. SANBAG is also completing its preliminary studies for light rail service between the Multi-Modal Transit Center and downtown Redlands and the University of Redlands. SANBAG owns the tracks on the 9-mile rail corridor, and upon completion of the preliminary studies, SANBAG will be submitting the project for funding through the Federal Transit Administration's Small Starts program.
- D. Local Bus and Commuter Bus Service. The Multi-Modal Transit Center is being designed with 25 bus bays to create a hub for local and commuter bus service from throughout the region: (i) fifteen local bus lines operated by Omnitrans serving the San Bernardino Valley, downtown Riverside, and the San Geronimo pass region, (ii) commuter bus service to the mountain communities operated by the Mountain Area Regional Transit Authority (MARTA), and (iii) interstate Greyhound bus service.

- E. Airport Service. As discussed above in Section 1, the San Bernardino International Airport is located only 2.5 miles from the Multi-Modal Transit Center, and the city, county, and airport authority are currently discussing various options for mass transit service from the Multi-Modal Transit Center to the airport to provide seamless and efficient air-rail-bus connectivity.
- F. Interstate Amtrak Rail Service. Amtrak's Southwest Chief line, connecting Los Angeles to Chicago, stops in San Bernardino at the historic Santa Fe Depot, one mile west of the Multi-Modal Transit Center. With the completion of the light rail line and the Metrolink extension, there will good connectivity between the Amtrak service and the other forms of transit at the Multi-Modal Transit Center.
- F. High-Speed Tram Service to Southern California Mountain Resorts. SANBAG recently agreed to partner with SCAG and the San Bernardino International Airport to study the possibility of constructing an all-weather transit system that connects the San Bernardino Valley to the Southern California mountain resorts in Running Springs and Big Bear. Currently, the Big Bear Valley receives over five million visitors annually, and existing mobility constraints result from the lack of safe high capacity routes in the corridor. Environmental constraints prohibit the expansion of existing highways, so mass transit options are the only viable means for relieving the crushing and sometimes dangerously high demand on highways in the San Bernardino Mountains. This transit system would originate and terminate at the Multi-Modal Transit Center in downtown San Bernardino.

This comprehensive and growing list of mass transit systems in the San Bernardino Valley, interconnected at the Multi-Modal Transit Center in downtown San Bernardino, compels the Authority to select an alignment that locates a CHST station at the Multi-Modal Transit Center. If the CHST bypasses this location, it will have failed to adhere to the fundamental principle of interconnectivity adopted for the CHST and it will miss the significant ridership market that could connect to the CHST through local and regional transit systems at the Multi-Modal Transit Center in downtown San Bernardino.

The Authority has also adopted the following criteria for CHST station locations:

- To be considered for a station, the proposed site must have the potential to promote higher density, mixed-use, pedestrian accessible development around the station.
- As the high-speed train project proceeds to more detailed study and before a final station location decision is made, the responsible local government(s) are expected to provide (through planning and zoning) for transit-oriented development around high-speed train station locations.
- Give priority to stations for which the city and/or county has adopted station area transit-oriented development plans and general plans that focus and prioritize development on the transit-oriented development areas rather than on auto-oriented outlying areas.

- As the project proceeds to more detailed study, local governments are expected to finance (e.g., through value-capture or other financing techniques) the public spaces needed to support the pedestrian/bicycle traffic generated by hub stations as well as identifying long-term maintenance of the spaces.
(*"Total Transportation Approach," California High-Speed Train Business Plan, November 2008, p. 7.*)

There is no other location in the Inland Empire that meets or will meet the CHST station criteria better than downtown San Bernardino. As discussed in the previous section, the SCAG Compass Blueprint identifies the 2.5 mile radius around downtown San Bernardino as one of the key sustainable growth areas not only for the Inland Empire, but for the entire SCAG region. A detailed economic feasibility study by SCAG of downtown San Bernardino found that thousands of new residents and millions of square feet of commercial and office space can be easily accommodated within the quarter-mile walk ring around the Multi-Modal Transit Center. (*Compass Blueprint: From Transit Station to Transit Village, A Recommendations Report for the E Street Station in the City of San Bernardino, January 2007, pp. 8-17.*)

Discussed in detail in the next section, based on the SCAG studies, the City of San Bernardino has move aggressively with plans and development incentives to create a high-density mix of residential, commercial, professional/office, and entertainment uses in the downtown core to complement the existing 20,000+ daytime employees in downtown. These plans include the current planning and business modeling for transit-oriented development immediately adjacent to the Multi-Modal Transit Center in downtown San Bernardino. In essence, the City of San Bernardino and its partners have been doing everything necessary to make downtown San Bernardino an ideal location for the a CHST station because it fits precisely the CHST station criteria.

4. *"Provide a sustainable reduction in travel time between major urban centers ... [and] increase the efficiency of the intercity transportation system."* (*"Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.*)

As discussed above, under the SCAG Compass Blueprint, the 2.5 mile radius around downtown San Bernardino is one of the key locations in Southern California that has the capacity to accommodate significant new sustainable urban growth. Local, regional, state, and interstate transit connectivity is one of the critical ingredients that make this location ideal for accommodating new sustainable urban growth.

The City of San Bernardino has been moving aggressively to create the plans and development incentives that embrace this urbanized future for its downtown city center. The City recently completed and adopted a new Downtown Core Vision & Action Plan that calls for a high-density mix of residential, commercial, professional/office, and entertainment uses in the downtown core to complement the existing 20,000+ daytime employees in downtown. The Vision & Action Plan was developed over an eighteen month period with input from

hundreds of city residents, businesses, and stakeholders. The City is now moving forward on implementing some initial components of the Vision & Action Plan, including revitalization of the theater/entertainment district and construction of a new 360,000 square foot state courthouse beginning in 15 months. The City is also working on developing more specific plans that will enable other components of the Vision & Action Plan to move forward, including a new 450,000 square foot government center planned by the County of San Bernardino, continued development of affordable senior housing, and options for development of student housing complexes that would serve the thousands of students enrolled at higher education institutions in the city and east valley region.

Additionally, the mass transit systems discussed in the previous section will connect downtown San Bernardino with the other major regional employment and activity centers in the San Bernardino Valley: (i) Cal State San Bernardino with over 17,000 students (planned for 35,000 at build-out) and 2,000 employees, (ii) Hospitality Land and Commerce Center area with over 11,000 daytime workers, with dozens of restaurants and ten hotels, and (iii) Loma Linda University and Medical Center with over 4,000 students (expected to be 5,000 in five years) and almost 5,000 employees, and (iv) University of Redlands with 2,400 students and almost 1,000 employees.

With the plans to significantly urbanize the downtown core of San Bernardino already underway, and with transit systems that connect downtown San Bernardino to other major employment and activity centers in the San Bernardino Valley, it is critical the CHST alignment connect with this growing urban center. Without any connection to downtown San Bernardino, the CHST will be undermining the system's capacity and its objective of creating an efficient transportation system between major urban centers in California.

5. *"Preserve environmental quality and protect California's sensitive environmental resources by reducing emissions and vehicle kilometers/vehicle miles traveled for intercity trips." ("Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.)*

Optimizing this objective requires more than just building a high-speed train that can be used as a substitute for passenger vehicles on intercity trips. It requires an alignment with station locations that maximize the ability of passengers to access the CHST without using passenger vehicles on roads and highways. In other words, the CHST must be designed to promote smart sustainable growth patterns in urbanized areas of California so the CHST is accessible by means other than the passenger vehicle. The 2008 Business Plan for the CHST expands on this adopted objective:

There would be great benefits to enhancing development patterns and increasing development densities near proposed high-speed train stations. In addition to potential benefits from minimizing land consumption needs for new growth, dense development near high-speed train stations would concentrate activity conveniently located to stations. This would increase the use of the high-speed train system, generating additional high-speed train ridership and revenue to benefit the entire state.

It also would accommodate new growth on a smaller footprint. Reducing the land needed for new growth should reduce pressure for new development on nearby habitat areas, in environmentally fragile or hazardous areas, and on agricultural lands. ... Benefits from transit-oriented development around high-speed train stations could also include reduced traffic congestion, improved air quality, more affordable housing, a reduction in energy consumption, promotion of job opportunities, and a better use of public infrastructure.

...

With strong companion policies and good planning, high-speed train stations should encourage infill development, help protect environmental and agricultural resources by encouraging more efficient land use, and minimize ongoing cost to taxpayers by making better use of our existing infrastructure. (*"Total Transportation Approach," California High-Speed Train Business Plan, November 2008, pp. 6 and 7.*)

These policy objectives for the CHST are in alignment with the objectives of the SCAG Compass Blueprint for Southern California. Thus, to the greatest degree possible, the CHST alignment and station locations should complement and be consistent with the locations identified in the Compass Blueprint that can sustainably accommodate growth in Southern California. For the Inland Empire region, one of the most critical sustainable growth areas identified in the Compass Blueprint is the 2.5 mile radius around downtown San Bernardino. The City of San Bernardino and its partners have embraced this future. To meet its adopted objectives, for the Inland Empire Section of the CHST, it is critical the Authority join this partnership by locating a CHST station at the Multi-Modal Transit Center in downtown San Bernardino.

6. *"Maximize the use of existing transportation corridors and rights-of-way, to the extent feasible."* (*"Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.*)

A CHST alignment through downtown San Bernardino is wholly consistent with the objective for CHST to maximize the use of existing corridors and rights-of-way. An alignment through downtown Multi-Modal Transit Center can be largely accomplished using existing railroad rights-of-way and flood control right-of-way.

The CHST alignment to the west of Multi-Modal Transit Center in downtown San Bernardino can use the existing Metrolink railroad corridor, a regionally controlled railroad corridor with priority for passenger service. Upgrading the existing right-of-way and tracks would allow for joint use of the corridor with Metrolink. According to the preliminary engineering of this alignment, there is only a very small fraction of the necessary right-of-way (approximately two miles), that would need to be newly acquired and constructed in order to connect the CHST to the Multi-Modal Transit Station in downtown San Bernardino.

To the east of the Multi-Modal Transit Center, the CHST alignment would initially follow the existing locally controlled railroad corridor as it makes a 90 degree turn toward San Diego and moves out of downtown San Bernardino. The alignment would then follow the Twin Creeks Flood Control Channel and the Santa River corridor for about four miles until it rejoined the existing railroad right-of-way in south Colton. Thus, connecting the CHST to the Multi-Modal Transit Center in downtown San Bernardino can be done with minimal cost, using almost all existing railroad and flood control right-of-way.

7. *"Develop a practical and economically viable transportation system that can be implemented in phases by 2020, which would generate revenues in excess of operations and maintenance costs." ("Purpose of High-Speed Train System," CHST Final Statewide EIR/EIS, Section 1.2.1.)*

Connecting to the CHST to the Multi-Modal Transit Center in downtown San Bernardino helps fulfill this important financial feasibility objective for the CHST. The Multi-Modal Transit Center is already in preliminary design and engineering, and will be constructed whether or not the CHST connects through downtown San Bernardino. Thus, there is only an additional incremental cost of adding a CHST station to the already planned Multi-Modal Transit Center. Moreover, with station's ideal location in the middle of downtown San Bernardino and with a high degree of multi-modal transit connectivity, the parking requirements for this CHST station will be significantly less compared to other potential station locations in the Inland Empire.

Another distinct cost advantage of a station in downtown San Bernardino is that the CHST can make the only 90 degree turn in the Los Angeles to San Diego Section while traveling a minimal speed as the train approaches or departs the station. Without such a strategic station location, the CHST will be making this 90 degree turn at high speed. The preliminary engineering done on an alignment to accommodate a 90 degree turn at 175 mph., indicates that such a turn will require an elevated track over a span of about five miles, of which little could be located within an existing transportation corridor and which would have significant cost and visual impact to the surrounding community. Thus, aligning the CHST so the 90 degree turn occurs at an existing multi-modal transit center will save significant construction costs savings for the CHST.

In terms of CHST ridership and revenue, a station in downtown San Bernardino will add significant ridership to the CHST system in several ways. First, as discussed above, the growth projections and development capacity in downtown San Bernardino, and the Multi-Modal Transit Center's connectivity to other major employment centers and destinations throughout the region, will add significant ridership to the CHST system from the over one million people who live or work in the San Bernardino Valley and from the millions of visitors to the region each year. Secondly, a station in downtown San Bernardino will provide seamless and efficient air-rail-bus connectivity to San Bernardino International Airport. The 9.5 million passengers expected to use San Bernardino International Airport by 2035 will also provide a significant source of ridership for the CHST system. Lastly, a

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
Page 11

station in downtown San Bernardino, with its adjacency to Interstate 215 Freeway and the Interstate 10 Freeway, make this station an ideal location for riders from the over one million residents in the Coachella Valley and High Desert regions to easily access the CHST system for intercity trips in California.

Finally, the recent release of a Preliminary National Rail Plan provides a new important consideration for the CHST alignment. (*"Preliminary National Rail Plan," Federal Railroad Administration, October 2009.*) Like the CHST, the National Rail Plan is adopting objectives so that rail alignments and station locations are consistent with fundamental transportation principles such as intermodal connectivity and sustainable growth. (*Id.*, pp. 8, 16, and 25-26.) More importantly, however, the National Rail Plan states that consistency between the National Rail Plan and approved State plans is critical to creating an effective interstate rail network. (*Id.*, p. 23.)

To this end, the National Rail Plan identifies preliminary routes for a high-speed interstate rail network, with two potential routes into and out of Southern California. (*Id.*, pp. 10-11.) The first route is to Las Vegas, Nevada through the Cajon Pass, and the second is to Phoenix, Arizona thorough the San Geronio Pass. San Bernardino is located at convergence of these two mountain passes, and it is ideally site for the intersection of the interstate high-speed rail routes. San Bernardino has long been at the cross-roads of the two interstate highways that come through these mountain passes (the 215 Freeway and the 10 Freeway), and San Bernardino's intermodal freight yard also serves as the intersection of the existing rail lines for freight and passenger service through these mountain passes. For future interstate connectivity, it clearly makes sense to locate a CHST station in downtown San Bernardino, where future interstate travelers coming into and going out of Southern California can quickly and efficiently make their connections to the interstate high-speed rail network.

The City of San Bernardino is eager to participate in the ongoing analysis of the alignment and station alternatives for the Inland Empire Section of the CHST. As you progress through the alternatives analysis, the City of San Bernardino is confident it will be clear that an alignment providing for a CHST station in downtown San Bernardino is critical to creating a high-speed rail system that optimizes the objectives adopted by the Authority for CHST and its future connection to an interstate high-speed rail network. We look forward to working with the Authority.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick J. Morris". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Patrick J. Morris
Mayor

Kris Livingston

From: Monique R. Molina [mfmolina@fontana.org]
Sent: Tuesday, November 03, 2009 12:08 PM
To: HSR Comments
Cc: Kevin Ryan
Subject: LA-SD HST Project EIR/EIS, California High Speed Rail Authority
Attachments: Executed notice letter.pdf

Good Afternoon Mr. Leavitt,

Attached, please find the City of Fontana's comments regarding the Los Angeles to San Diego High Speed Rail project.

Should you have any questions, please contact either Kevin Ryan at 909-350-6655 or myself.

Thank you,

Monique Molina

City of Fontana
Department of Engineering
909-350-7607



City of Fontana CALIFORNIA

November 2, 2009

Dan Leavitt
Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: LA-SD HST Section via the Inland Empire

Dear Mr. Leavitt,

Thank you for including the City of Fontana in your list of participating agencies invited to comment on the Los Angeles to San Diego via the Inland Empire High Speed Train EIR/EIS.

The City of Fontana has reviewed the possible rail alignments that may run through the city, and would like to comment on these possibilities. The City would prefer the alignment shown to run adjacent to the I-10 freeway corridor. This alignment along the I-10 would have less of an impact to residents and businesses than an alignment adjacent to the Metrolink. The City is of the opinion that a High Speed Rail Line along the Metrolink Corridor would serve to negatively impact a predominantly residential area and create a division in the City. Due to these factors, the City of Fontana is not in support of the alternate alignment along the Metrolink Corridor.

Thank you again for including the City of Fontana on your list participating agencies.

Respectfully,
DEPARTMENT OF ENGINEERING

Kevin Ryan
Strategic Transportation Engineering Manager

Cc: Ken Hunt, City Manager
Debbie Brazill, Deputy City Manager
Don Williams, Director of Community Development

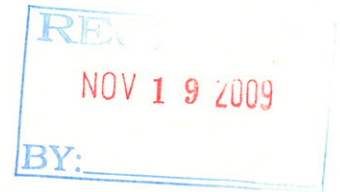


City of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160 • (909) 799-2800 • FAX (909) 799-2890

Sister Cities: Manipal, Karnataka, India - Libertadore, San Martin, Argentina • www.lomalinda-ca.gov

November 17, 2009



Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Authority
Attn: Los Angeles to San Diego
Via the Inland Empire Section EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Inland Empire Alignment High Speed Rail

Dear Mr. Leavitt:

I attended the recent scoping meeting concerning the subject project in San Bernardino. I presented your proposal to the Loma Linda City Council and received unanimous support for the San Bernardino alignment. Therefore, I am strongly supporting the San Bernardino alignment of the High-Speed Train Project.

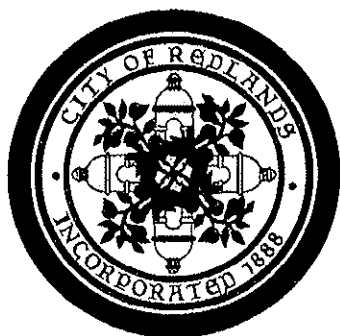
There are several advantages of the San Bernardino alignment which have been identified and encourage our support. A San Bernardino High-Speed train station located with an intermodal mass transit hub is needed in this region. Omnitrans regular bus service, bus rapid transit service (SbX) and Metrolink commuter train service at this hub will allow access to the system by most people in the region. The station's close proximity to the San Bernardino International Airport with a supporting connection opens another market for ridership. The Interstate freeways 215 and 10 intersect very close the proposed station location as well.

Again, the City of Loma Linda is very supportive of the San Bernardino alignment of the High-Speed Train System in the Inland Empire.

Respectfully,

T. Jarb Thajpejr, P.E.
City Manager

I:\Public Works Admin\Jarb\Hi Speed Rail SB.doc



November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: Los Angeles to San Diego via the Inland Empire Section HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: HST Project EIR/EIS Public Scoping Comments – Los Angeles to San Diego via the
Inland Empire Section – California High-Speed Train System

Dear Mr. Leavitt:

This comment letter is submitted in response to the Notice of Preparation (NOP) being issued by the California High-Speed Rail Authority ("Authority") for the project Environmental Impact Report/Statement (EIR/EIS) for the Los Angeles to San Diego via the Inland Empire Section of the proposed California High-Speed Train (CHST) system.

The City of Redlands is one of Southern California's most historic communities with a well-educated, affluent, an increasingly youthful population. In 2006, the 281,760 people living in the Redlands Market Area were estimated to have a total personal income of \$6.7 billion, which exceeds the total income for the Inland Empire's largest city (Riverside - \$6.3 billion). In addition, the City is home to the University of Redlands with its 2,400 students and almost 1,000 faculty and staff, and to ESRI, the global leader in geographic information system (GIS) software, with over 2,000 employees on its Redlands corporate campus.

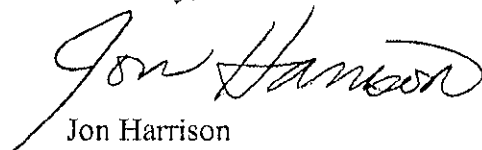
The City of Redlands is very interested in ensuring the CHST alignment through the Inland Empire maximizes the ability of the 281,760 residents in the Redlands Market Area, including the University of Redlands and ESRI, have ready access to the CHST for intercity travel in California. To this end, the City of Redlands has worked closely with the City of San Bernardino and the San Bernardino Associated Governments (SANBAG) to develop a light rail system that directly connects the University of Redlands, downtown Redlands, and the ESRI campus directly to the Multi-Modal Transit Center in downtown San Bernardino. Over \$75

million in local funding from voter approved Measure I has been set-aside for construction of the \$240 million project, and operations are expected to commence in 2016.

The City of Redlands has reviewed the extensive comments in the letter submitted by the City of San Bernardino related to the CHST alignment and the critical need for a CHST station at the Multi-Modal Transit Center in downtown San Bernardino. We wholeheartedly agree with the comments and analysis in the City's letter, and the conclusion that it would be difficult to imagine how the adopted objectives for the CHST could be optimized for the Inland Empire Section of the CHST unless the alignment connects through the Multi-Modal Transit Center. If the CHST connects through San Bernardino's Multi-Modal Transit Center, the interconnected Redlands Light Rail system will provide thousands of students, faculty, software engineers and affluent residents, who live and work in close proximity to the Redlands Light Rail, with ready and easy access to the CHST, creating important ridership market for the CHST that is reliable and growing.

The City of Redlands and its partners, like the University of Redlands and ESRI, are eager to participate in the ongoing analysis of the alignment and station alternatives for the Inland Empire Section of the CHST. We look forward to working with the Authority on this exciting project.

Sincerely,



Jon Harrison
Mayor



PUBLIC WORKS DEPARTMENT

(951) 736-2266
(951) 279-3627 (FAX)
Kip.Field@ci.corona.ca.us

400 SOUTH VICENTIA AVENUE, P.O. BOX 940, CORONA, CALIFORNIA 92879-0940
CITY HALL - ON LINE ALL THE TIME (<http://www.discovercorona.com>)

November 18, 2009

Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

**SUBJECT: Notice of Preparation of a Project Environmental Impact
Report/Environmental Impact Statement (EIR/EIS) for the California
High-Speed Train Project from Los Angeles to San Diego via the
Inland Empire Participating Agency Invitation**

Dear Mr. Leavitt:

The City of Corona has received the Notice of Preparation (NOP) of Project Environmental Impact Report / Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire.

The City of Corona recently adopted Resolution No. 2009-109 (attached), supporting the overall implementation of the statewide High-Speed Train System including the Los Angeles to San Diego via the Inland Empire segment. The City of Corona welcomes the consideration of alignment and station options within the city. Our staff has already worked closely with California High-Speed Rail Authority (Authority) staff to identify conceptual alignments and station options in the area, and will continue to provide support and information as necessary to conduct the environmental and engineering studies.

In addition, the city accepts your invitation to serve as a Participating Agency on the Los Angeles to San Diego via the Inland Empire High-Speed Train Project EIR/EIS. The City will work closely with the Authority and the Federal Railroad Administration (FRA) in the preparation of the project EIR/EIS. We request that you direct all communication through me, as the primary contact for this project.

We have reviewed the Notice of Preparation and the Notice of Initiation and do not have any specific concerns at this time regarding the scope of the environmental analysis. However, we are concerned with the segmentation as it is currently stated. The division points, March Air Reserve Base (ARB) and Mira Mesa, create difficulties in the analysis and comparison of alternatives along the I-15 and I-215 corridors. We suggest segment breaks at Ontario and Temecula to better account for the alignment and station options currently under consideration.

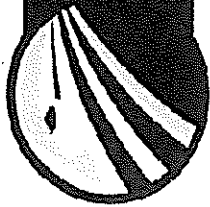
We look forward to continued involvement and discussions during the preparation of the DEIR and, as always, we are available to provide any additional information that you may need for this project.

Sincerely,



Kip D. Field, P.E.
Public Works Director

C: Brad Robbins, City Manager
Joanne Coletta, Community Development Director
Darrell Talbert, Redevelopment Director
Sheldon Peterson, RCTC



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by November 20, 2009 (return address is on the reverse side of this form).

Name (please print): Barry Forten ^{Economic Development Director} City: Morano Valley State: CA Zip: 92572
Organization/Business: City of Morano Valley E-mail: barry.f@morav.org
Address: P.O. Box 88005

☒ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

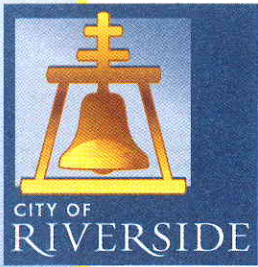
I am very supportive of developing the High-Speed Rail line. The alignment must include the I-215 corridor because it will provide access for people living in the major population centers of the Inland Empire Region including Riverside, Moreno Valley and San Bernardino. Going down the I-15 corridor benefits only the City of Corona and completely ignores the vast majority of the population of the Inland Region.

The preferred location for a station in Riverside should be along I-215 at Marchant's location. It could be integrated into the new Metro Link station under development at this location. The location would be the most feasible from a cost standpoint, as well as access to roads and population centers.

All in all the I-215 Route makes the best "business" sense!!!

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than November 20, 2009.

Fold and Tape Completely Before Mailing



Community Development
Department
Planning Division

November 20, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

**SUBJECT: NOTICE OF PREPARATION (NOP) OF A PROJECT ENVIRONMENTAL
IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) FOR
THE CALIFORNIA HIGH-SPEED TRAIN PROJECT FROM LOS ANGELES
TO SAN DIEGO VIA THE INLAND EMPIRE**

Dear Mr. Leavitt:

The City of Riverside appreciates the opportunity to comment on the NOP of a Project EIR/EIS for the Los Angeles to San Diego via the Inland Empire Segment (LA-IE-SD Segment) of the proposed California High-Speed Train (HST) System. The California High-Speed Rail Authority (CHSRA) proposes to construct, operate, and maintain an electric powered, steel-wheel-on-steel-rail HST System that connects California's major metropolitan centers in Northern and Southern California. The HST System stretches approximately 800 miles and is capable of operating speeds of 220 miles per hour on a mostly dedicated system of fully grade-separated, access controlled, state-of-the-art steel track with safety, signaling, communication, and automated train control systems. Two alignments are presently under consideration in the Inland Empire in the vicinity of the City of Riverside – the Interstate-215 (I-215) alignment and the Interstate-15 alignment. Given each alignment's proximity and the possibility that a station may be located within the City, City staff has thoroughly reviewed the proposal and offers the following for your consideration.

On July 7, 2009, the City of Riverside City Council voted to support the California High-Speed rail project and to formally endorse the I-215 alignment. At that meeting, the City Council expressed its strong desire to see the placement of a station within the City along the I-215 alignment in the vicinity of the University of California at Riverside. In addition, three corridor options (for the I-215 alignment) were recommended to the CHSRA for further study in the prospective environmental work; please refer to Attachments 1 and 2 for additional information.

With the largest population and employment base in the region, the City of Riverside stands as the cultural, political, and economic center of the Inland Empire. With three universities, a prospective school of medicine, and a major community college system, the City hosts one of the largest student populations in all of California, as well as the region's largest concentration of governmental, financial, cultural, and judicial services, including branches of the County Superior Court, U.S. District and Bankruptcy Courts, and California Appellate Courts. Combined with the City's expected population and

economic growth in the not-to-distant future, the City is well-positioned to support the development of the California HST System and the placement of a station within the City.

As identified in the NOP, the purpose of the EIR/EIS is to evaluate the potential effects of the proposed project on the physical and natural environment, as well as the social and economic impacts related to its construction and operation on surrounding areas. It is requested that the prospective environmental analysis appropriately address and discuss all potential impacts on established neighborhoods within the bounds of the project area, including but not limited to quality of life issues, social justice issues, noise impacts, and potential displacements or relocations as they may relate to the I-215 alignment and the three proposed corridor options through the City of Riverside.

With projects of any scope or magnitude, public involvement and engagement are integral components of the scoping process. The City of Riverside appreciates the efforts of the CHSRA to solicit input from City residents by hosting a public scoping session on October 22, 2009 at the Cesar Chavez Community Center.

City staff appreciates your continued collaboration and looks forward to working with the California High-Speed Rail Authority and its staff in the future. Please forward copies of all revised plans, staff reports, and environmental documents to the City for review. Should you have any questions regarding this letter, please contact Moises A. Lopez, Associate Planner, at (951) 826-5264 or by email at mlopez@riversideca.gov.

Sincerely,



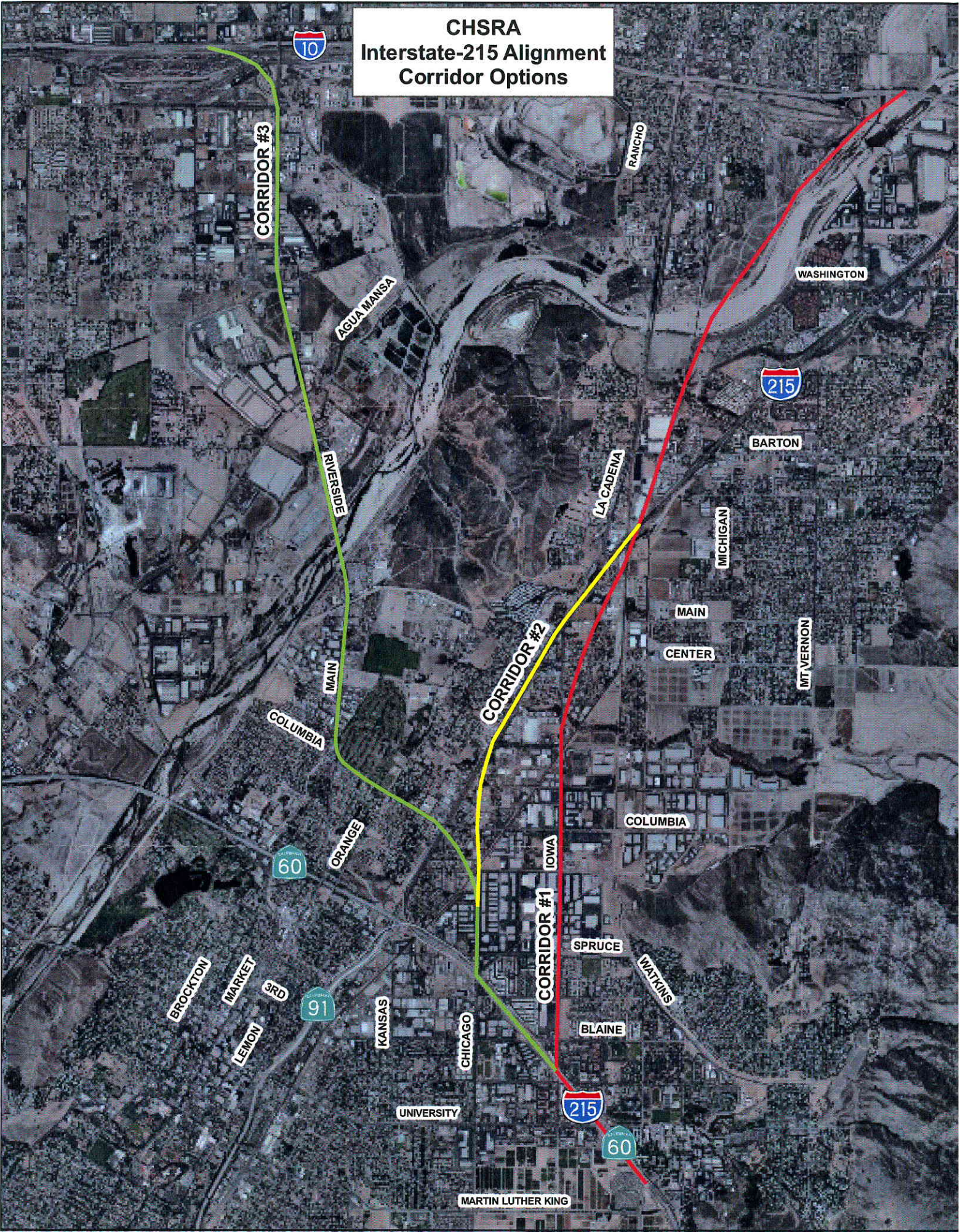
Ken Gutierrez, AICP
Planning Director

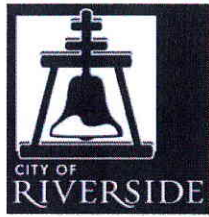
Attachments:

1. City of Riverside Corridor Options for the Interstate-215 Alignment.
2. City Council Staff Report (July 14, 2009)

cc: Ronald O. Loveridge, Mayor
Riverside City Council Members
Brad Hudson, City Manager
Belinda Graham, Assistant City Manager
Tom De Santis, Assistant City Manager
Scott Barber, Community Development Director
Siobhan Foster, Public Works Director
Tom Boyd, Deputy Public Works Director/City Engineer
Steve Libring, Traffic Engineer

**CHSRA
Interstate-215 Alignment
Corridor Options**





City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: July 14, 2009**
FROM: COMMUNITY DEVELOPMENT DEPARTMENT **ITEM NO:**
PLANNING DIVISION
WARDS: ALL
SUBJECT: CALIFORNIA HIGH-SPEED RAIL – POTENTIAL ALIGNMENTS AND STATION LOCATIONS TO BE INCLUDED IN THE CONCEPTUAL STUDY

ISSUE:

In advance of environmental work to begin later this year, the California High-Speed Rail Authority (CHSRA) is seeking input from partner jurisdictions on the City's preferred alignment of the rail corridor and conceptual station locations.

RECOMMENDATIONS:

That the City Council:

1. Endorse the High Speed Rail I-215 alignment through the City of Riverside;
2. Recommend to the CHSRA to study the Transportation Committee's recommended corridor options and conceptual station locations for the I-215 alignment in the upcoming environmental work; and
3. Support the efforts of the Riverside County Transportation Commission (RCTC) High-Speed Rail Ad Hoc Committee to review the High Speed Rail project on a regional level.

COMMITTEE RECOMMENDATION:

On June 11, 2009, the Transportation Committee unanimously recommended that the City Council: 1) endorse the High Speed Rail I-215 alignment; 2) have the CHSRA study the recommended corridor options; and 3) support RCTC's High Speed Rail Ad Hoc Committee for a regional perspective on the Rail project.

BACKGROUND:

On April 9, 2009, the CHSRA presented the Transportation Committee (Committee) with an overview of the proposed high-speed rail system, centering on the two potential Inland Empire alignments presently under consideration – the programmatic alignment along Interstate-215 (I-215) and an alternative alignment under consideration at the request of the Riverside County Transportation Commission (RCTC) along Interstate-15 (I-15). Without a formal motion, the Committee voiced its general support for the I-215 alignment and directed the Public Works

Department and Planning Division to meet with CHSRA staff to further discuss and assess the alignment's feasibility.

In addition, on May 11, 2009, the Transportation Accountability Performance (TAP) Summit also endorsed the I-215 alignment.

On June 11, 2009, City staff presented the Committee with three potential corridor options for the I-15 alignment that should be included in the formal environmental analysis which is expected to commence later this year (Attachment 1 of the June 11, 2009 Transportation Committee Staff Report). All three corridor options essentially follow the I-215 alignment, but avoid the 60/91/215 interchange. Potential rail stations would need to be located along the rail corridor, possibly in the vicinity of the University of California at Riverside. Please note, all corridor options and station locations are conceptual in nature and would benefit from additional study to more adequately assess their feasibility.

The Transportation Committee also recognized that the High Speed Rail project is important to the entire region and needs a regional perspective. To this end, the Committee further recommends that the City of Riverside support RCTC's High Speed Rail Ad Hoc Committee (of which Councilmember Adams is a member). For additional information, please refer to the June 11, 2009 Committee Staff Report (Attachment 1).

The CHSRA staff has been invited to make a presentation to the Council at this evening's meeting on the project and respond to questions from the City Council.

FISCAL IMPACT:

There is no fiscal impact other than the staff time required to draft this report.

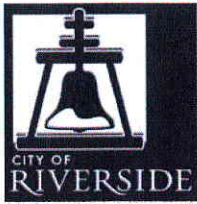
Prepared by: Ken Gutierrez, Planning Director
Siobhan Foster, Public Works Director
Certified as to availability
of funds: Paul C. Sundeen, Assistant City Manager/CFO/Treasurer
Approved by: Belinda J. Graham, Assistant City Manager
for Bradley J. Hudson, City Manager
Approved as to form: Gregory P. Priamos, City Attorney

Concurs with:

Steve Adams, Chair
Transportation Committee

Attachment:

1. Transportation Committee Staff Report (June 11, 2009)



Transportation Committee

TO: MEMBERS OF THE TRANSPORTATION COMMITTEE **DATE: June 11, 2009**

FROM: COMMUNITY DEVELOPMENT DEPARTMENT **ITEM NO:**
PLANNING DIVISION
PUBLIC WORKS DEPARTMENT **WARDS: ALL**

SUBJECT: CALIFORNIA HIGH-SPEED RAIL – POTENTIAL ALIGNMENTS AND STATION LOCATIONS TO BE INCLUDED IN THE CONCEPTUAL STUDY – DIRECT SUBMITTAL

ISSUE:

The California High-Speed Rail Authority (CHSRA) is soliciting an endorsement from partner jurisdictions on the potential alignment of the rail and conceptual station locations for the prospective environmental work to follow.

RECOMMENDATIONS:

That the Transportation Committee recommend that the City Council:

1. Endorse the High Speed Rail through the City of Riverside; and
2. Recommend to the CHSRA the study of three corridor options and conceptual station locations for the I-215 alignment in the prospective environmental work.

BACKGROUND:

On April 9, 2009, the CHSRA presented to the Transportation Committee (Committee) an overview of the two potential Inland Empire alignments under consideration – the programmatic alignment along Interstate-215 (I-215) and an alternative alignment under consideration at the request of the Riverside County Transportation Commission along Interstate-15. Without a formal motion, the Committee voiced its general support for the I-215 alignment and directed the Public Works Department and Planning Division to meet with CHSRA staff to further discuss and assess the alignment's feasibility. Such an assessment would serve as the basis for a conceptual plan to be developed by the CHSRA that would identify specific corridors through which the I-215 alignment could navigate. It is important to note that the conceptual study is only the beginning of what is expected to be a two- to three-year environmental review process. The conceptual study is intended to identify all of the alternatives to be considered by the environmental impact report/environmental impact statement (EIR/EIS) for this segment of the high-speed rail network.

In addition to the general support expressed by the Committee, the Transportation Accountability Performance (TAP) Summit also endorsed the I-215 alignment.

Corridor Options

After reviewing the alignment proposals with CHSRA staff, City staff is recommending three possible corridor options for the I-215 alignment that should be included in the environmental analysis. All three options (Attachment 1) essentially follow the I-215 alignment but avoid the 60/215/91 interchange. Two of the proposed options head north toward San Bernardino while the other continues in a more westerly direction toward Ontario. All are conceptual in nature and could benefit further study. They include:

- Corridor Option 1 (Iowa Avenue) – As the I-215 alignment enters the City through the Hunter Industrial Park and University Neighborhoods, the alignment would navigate along Iowa Avenue (south) before turning east (at or around Linden Street) to join and parallel the I-215 freeway out of the City.
- Corridor Option 2 (Chicago Avenue) – As the I-215 alignment enters the City through the Hunter Industrial Park and University Neighborhoods, the alignment would navigate along Chicago Avenue (south) before veering east (at or around Spruce Street) to join and parallel the I-215 freeway out of the City.
- Corridor Option 3 (Main Street) – As the I-215 alignment enters the City through the Northside Neighborhood, the alignment would navigate along Main Street (south) before turning east to join and parallel the I-215 freeway out of the City.

Potential rail stations would need to be located along the rail corridor, possibly in the vicinity of the University of California, Riverside. The CHSRA suggests that 2,000 – 3,000 spaces be provided at the future rail station.

CHSRA Projected Timeline

It is expected that by July 2009, each local jurisdiction will be able to support an alternative under consideration to allow for the release of a draft conceptual study in early fall 2009. The CHSRA anticipates issuing both a Notice of Intent and a Notice of Preparation in October 2009 in order to formally commence the EIR/EIS process, with public scoping sessions to be held in November 2009.

FISCAL IMPACT:

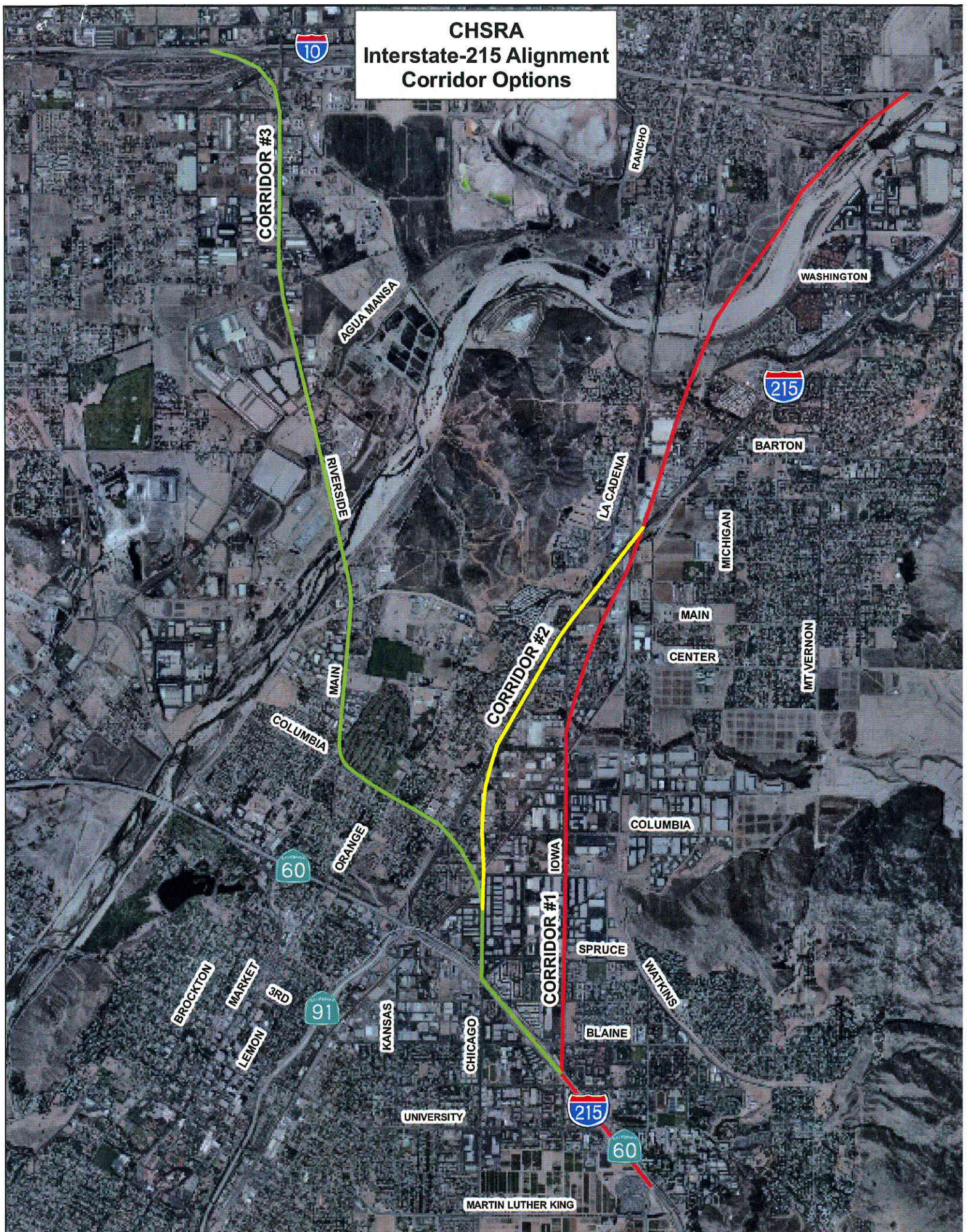
There is no fiscal impact associated with this report.

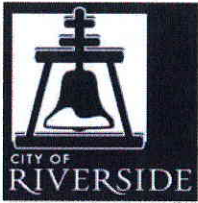
Prepared by: Siobhan Foster, Public Works Director
Ken Gutierrez, Planning Director
Certified as to availability
of funds: Paul C. Sundeen, Assistant City Manager/CFO/Treasurer
Approved by: Belinda J. Graham, Assistant City Manager
for Bradley J. Hudson, City Manager
Approved as to form: Gregory P. Priamos, City Attorney

Attachments:

1. Corridor Options
2. Transportation Committee Staff Report (April 9, 2009)

**CHSRA
Interstate-215 Alignment
Corridor Options**





Transportation Committee

TO: MEMBERS OF THE TRANSPORTATION COMMITTEE **DATE: April 9, 2009**

**FROM: PUBLIC WORKS DEPARTMENT
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

ITEM NO:

WARDS: ALL

SUBJECT: UPDATE – CALIFORNIA HIGH-SPEED RAIL POTENTIAL ALIGNMENT

ISSUE:

The California High-Speed Rail Authority (CHSRA) is soliciting comments from partner jurisdictions on the proposed alignments presently under consideration so as to initiate environmental scoping sessions by June 2009.

RECOMMENDATION:

Receive and file the report on the High-Speed Rail Project and direct staff to meet with appropriate CHSRA staff to discuss the City's preferred alignment.

BACKGROUND:

Established in 1996 pursuant to State legislation, the California High-Speed Rail Authority (CHSRA) is the state entity responsible for planning, constructing, and operating a high-speed rail network connecting California's major metropolitan areas. The CHSRA and the Federal Railroad Administration published a Statewide Final Program Environmental Impact Report/Environmental Impact Statement that helped determine preferred corridors and stations for a majority of the line in 2005. Since that time, the CHSRA has begun implementation of the proposed 800-mile long high-speed rail network stretching from Sacramento and the San Francisco Bay Area in the north, with service to the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego in the south. The proposed high-speed rail network would involve state-of-the-art, electrically-powered, high-speed steel-wheel-on-steel-rail technology capable of speeds in excess of 200 miles per hour. As a matter of information, in November 2008, Proposition 1A was approved by the voters of the State of California, authorizing the issuance of nearly \$10 billion in bond financing for development of high-speed rail.

On February 10, 2009, Public Works Department and Planning Division staff attended the second session of the Riverside County Technical Working Group for the CHSRA. The session was intended to discuss the two potential Inland Empire alignments for the high-speed rail network – the programmatic alignment along Interstate-215 (I-215) and an alternative alignment under consideration at the request of the Riverside County Transportation Commission along Interstate-15 (I-15) (see Attachment 1).

The programmatic alignment along I-215 traverses the City (north-south) through the Hunter Industrial Park and University Neighborhoods before joining and paralleling I-215 out of the City (see Attachment 2). This alignment proposes the construction of one or two stations within, or in close proximity to, the City. The first potential station would be constructed above I-215 at Martin

Luther King Boulevard. A second potential station would be located on March Joint Powers Authority lands around Alessandro Boulevard.

The alternative alignment under consideration along I-15 may propose the construction of one station within the City. Although the I-15 alignment circumvents the City to the west – as it parallels I-15 (see Attachment 1) – a potential terminus station may be constructed within the City, connecting to the high-speed rail network via a potential San Bernardino station. If that were the case, the potential station would be located near Center Street (east of I-215).

It should be noted that no station sites have been 'officially' selected, and are not proposed to be selected until after more focused discussions are held between the CHSRA and each potential 'station-city.' According to the information provided by CHSRA staff, the focused meetings are to occur in March or April 2009. It is anticipated that by June 2009 each local jurisdiction will be able to support an alternative under consideration so as to commence environmental scoping sessions, with more comprehensive environmental work beginning one year later.

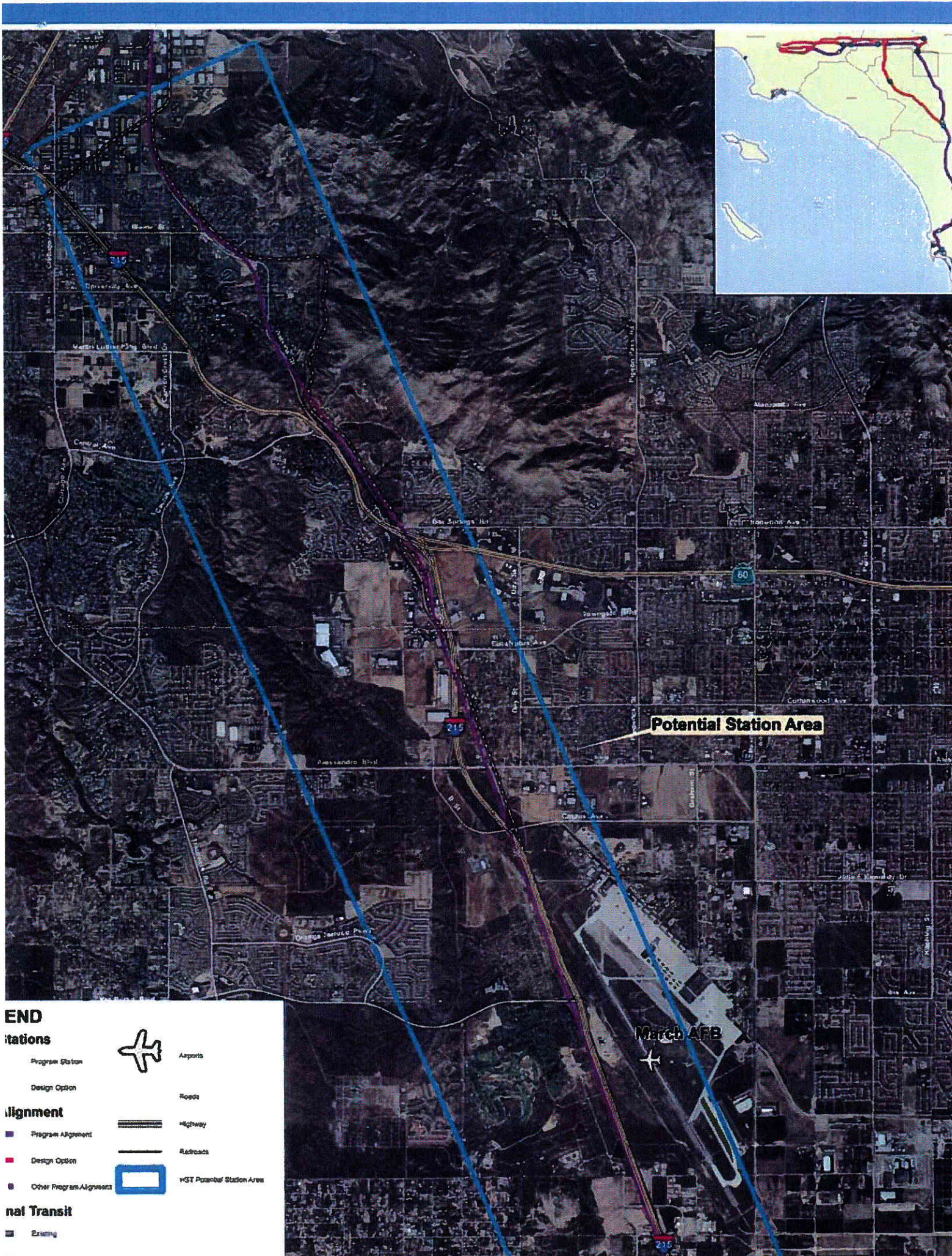
FISCAL IMPACT:

There is no fiscal impact associated with this report.











Prepared by: Siobhan Foster, Public Works Director
Ken Gutierrez, Planning Director
Certified as to availability
of funds: Paul C. Sundeen, Assistant City Manager/CFO/Treasurer
Approved by: Belinda J. Graham, Assistant City Manager
for Bradley J. Hudson, City Manager
Approved as to form: Gregory P. Priamos, City Attorney

Attachments:

1. San Diego to Los Angeles via the Inland Empire Section (Riverside County – Exhibit No. RIV-01)
2. San Diego to Los Angeles via the Inland Empire Section (Riverside to March AFB Option – Exhibit No. RIV-05)



Legend

- | | | |
|-------------------------|---|----------------------------|
| Stations |  | Airports |
| Program Station |  | |
| Design Option |  | |
| Alignment |  | Roads |
| Program Alignment |  | Highway |
| Design Option |  | Railroads |
| Other Program Alignment |  | |
| Transit |  | NGT Potential Station Area |
| Existing |  | |
| Proposed |  | |

Received at meeting of: TC
Meeting Date: 4/9/09
Item No.: 3



Taking you from San Diego to Los Angeles in **78 minutes**

CALIFORNIA HIGH-SPEED TRAIN

San Diego to Los Angeles Section via the Inland Empire

What Is It?

The California High-Speed Rail Authority (CHSRA) is proposing high-speed train service for travel between major metropolitan areas of California. The service would run from Los Angeles, Orange County and San Diego in the south to the San Francisco Bay Area and Sacramento in the north. This fast, safe and reliable system is forecast to carry approximately 67 million passengers annually by the year 2030.



Where Will It Go?

The proposed alignment for San Diego to Los Angeles includes two segments:

- The Riverside to Los Angeles segment will generally travel in or immediately adjacent to existing railroad and highway right-of-ways from Los Angeles' Union Station with stations serving the City of Industry and Pomona, Ontario Airport and Riverside. Travel times from Los Angeles to Ontario Airport and Riverside will be 25 and 33 minutes, respectively.
- The San Diego to Riverside segment will generally travel along existing highway right-of-way and the City of San Diego portion of the Los Angeles-San Diego-San Luis Obispo Rail Corridor (LOSSAN) with stations serving Murrieta, Escondido, University City and San Diego. Travel times from Los Angeles to San Diego will be 78 minutes and Riverside to San Diego will be 48 minutes.

Everyone Benefits

The benefits of high-speed rail are significant and wide-spread. Highlights include:

- **Protect the Environment** – Early estimates show that high-speed trains will reduce greenhouse gas emissions by 12 billion pounds per year, equivalent to removing 1.4 million cars off the road annually.
- **Enhance the Economy** – The high-speed train will create nearly 160,000 construction-related jobs and is expected to generate up to 450,000 permanent jobs statewide once completed.
- **Better Connections** – Provides a safer, time and cost-efficient alternative to automobiles and will help relieve overcrowding at major airports.
- **Improve City Streets** – Locally, many existing at-grade railroad street crossings will be separated from vehicle traffic.
- **Reduce Traffic** – The statewide system will remove nearly 70 million auto trips per year.

Please add me to the mailing list.

First Name _____ Last Name _____

Title _____ Organization _____

Address _____ City _____ Zip Code _____

Day Phone _____ Evening Phone _____

Email: _____

Comments: _____



CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY

Route Assessment

An assessment of the Riverside to Los Angeles segment has been completed to consider existing and future physical and operational opportunities and constraints on the proposed alignment. The assessment verified the preferred alignment identified in the Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) document.

Investing In California's Future

In the November election, California voters decided there should be public investment in a statewide high speed train project by approving Proposition 1A, a \$9.95 billion bond measure. Proposition 1A will provide \$9 billion for building the high-speed train system and \$950 million for improvements to other rail services that connect to high-speed train service.

The 2008-09 enacted state budgets provides \$46,488,000 to continue project implementation. Of this amount, \$13.9 million is allocated through the end of 2008. \$29.1 million will be from bond proceeds resulting from the passage of Proposition 1A.

The 2008-09 funding supports the continuation of preliminary engineering and environmental work along the system's corridors.

Environmental Process

Beginning in 2009, work will begin to prepare a Project Level EIR/EIS and preliminary engineering for the entire San Diego to Los Angeles alignment.

In accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), the CHSRA in cooperation with the Federal Railroad Administration (FRA) will work on the project-level Environmental Impact Report (EIR) / Environmental Impact Statement (EIS).

Public scoping meetings will be held to receive public comment on the issues that should be examined as part of the environmental analysis. The technical team will collect and study environmental data on the existing corridor to use as the baseline for future environmental analysis.

GET INVOLVED

The project team is available to answer your questions and receive your comments. Please let us know if you are interested in having a speaker at your organization's next meeting.

Visit our website at: <http://www.cahighspeedrail.gov>

Call us at (916) 324-1541

Email us at: info@hsr.ca.gov

Place
Stamp
Here

California High-Speed Rail Authority
c/o ARELLANO ASSOCIATES
13791 ROSWELL AVENUE, SUITE A
CHINO, CA 91710

Received at meeting of: TC
Meeting Date: 4/9/09
Item No.: 3

California High-Speed Train

Statewide Project Overview

March 2009



California High-Speed Rail Authority

Proposition 1A

California voters passed Prop. 1A in November.

- \$9 billion down payment on statewide system in 2008.
- \$950 million for urban, intercity and commuter rail lines that link with high-speed trains.
- Extensive oversight and fiscal controls.
- Supported by an uncommon bipartisan coalition of more than two-thirds of the Legislature.
- Strong support from Gov. Schwarzenegger, House Speaker Nancy Pelosi, and U.S. Senators Dianne Feinstein and Barbara Boxer.



The High-Speed Future



- State of the art
- 800-mile system
- Steel wheel-on-steel rail
- 100% clean electric power



Received at meeting of: TC
Meeting Date: 4/9/09
Item No.: 3

California High-Speed Train

Statewide Project Overview

March 2009



California High-Speed Rail Authority

Received at meeting of: TC
Meeting Date: 4/9/09
Item No.: 3

Taking you from San Diego to Los Angeles in **78 minutes**



CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY

CALIFORNIA HIGH-SPEED TRAIN

San Diego to Los Angeles Section via the Inland Empire

What Is It?

The California High-Speed Rail Authority (CHSRA) is proposing high-speed train service for travel between major metropolitan areas of California. The service would run from Los Angeles, Orange County and San Diego in the south to the San Francisco Bay Area and Sacramento in the north. This fast, safe and reliable system is forecast to carry approximately 67 million passengers annually by the year 2030.



Where Will It Go?

The proposed alignment for San Diego to Los Angeles includes two segments:

- The Riverside to Los Angeles segment will generally travel in or immediately adjacent to existing railroad and highway right-of-ways from Los Angeles' Union Station with stations serving the City of Industry and Pomona, Ontario Airport and Riverside. Travel times from Los Angeles to Ontario Airport and Riverside will be 25 and 33 minutes, respectively.
- The San Diego to Riverside segment will generally travel along existing highway right-of-way and the City of San Diego portion of the Los Angeles-San Diego-San Luis Obispo Rail Corridor (LOSSAN) with stations serving Murrieta, Escondido, University City and San Diego. Travel times from Los Angeles to San Diego will be 78 minutes and Riverside to San Diego will be 48 minutes.

Everyone Benefits

The benefits of high-speed rail are significant and wide-spread. Highlights include:

- **Protect the Environment** – Early estimates show that high-speed trains will reduce greenhouse gas emissions by 12 billion pounds per year, equivalent to removing 1.4 million cars off the road annually.
- **Enhance the Economy** – The high-speed train will create nearly 160,000 construction-related jobs and is expected to generate up to 450,000 permanent jobs statewide once completed.
- **Better Connections** – Provides a safer, time and cost-efficient alternative to automobiles and will help relieve overcrowding at major airports.
- **Improve City Streets** – Locally, many existing at-grade railroad street crossings will be separated from vehicle traffic.
- **Reduce Traffic** – The statewide system will remove nearly 70 million auto trips per year.

Please add me to the mailing list.

First Name _____ Last Name _____
Title _____ Organization _____
Address _____ City _____ Zip Code _____
Day Phone _____ Evening Phone _____
Email: _____
Comments _____

A New Travel Option for All Californians

Annual Boardings for Selected Stations – Year 2030

<i>Los Angeles Union Station</i>	10.8 million
<i>San Francisco Transbay Terminal</i>	9.1 million
<i>San Diego</i>	6.6 million
<i>Sacramento</i>	6.5 million
<i>Riverside</i>	4.8 million
<i>Anaheim</i>	4.3 million
<i>San Jose</i>	4.1 million
<i>Fresno</i>	2.3 m



Environmental Benefits

Congestion costs Californians about \$20 billion a year in wasted fuel and lost time. With up to 93 million riders a year by 2030, high-speed trains will reduce that impact.

- 1/3rd the energy of airplanes
- 1/5th the energy of passenger cars
- Dependence on foreign oil reduced by 12.7 million barrels a year
- Greenhouse gases cut by 12 billion pounds a year
- Improved air quality and related health care costs

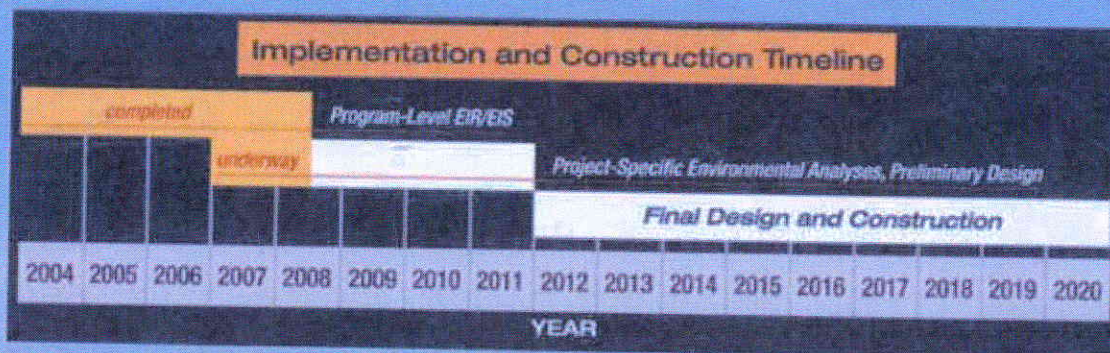


Economic Benefits

- Nearly 160,000 construction-related jobs
- 450,000 permanent jobs for California's economy
- Improved movement of people, goods and services
- Faster travel times for train riders
- Congestion relief for freeways and airports
- Reduced need to spend nearly \$100 billion over next 20 years for...
 - ✓ Up to 3,000 lane-miles of new freeway
 - ✓ 5 airport runways and 90 departure gates



Next Steps



Next Steps

- “Program Level” EIR/EIS to determine route and station locations. **✓ Completed.**
- “Project-Specific” environmental studies will determine where tracks will be laid, how they will be configured, and where support facilities are needed.
- Outreach underway with local agencies to integrate the statewide system with local transportation, planning and economic development efforts.



Next Steps

2011

Complete environmental process. Break ground on early project elements.

2015

Begin testing first prototype trainsets.

2018-2020

Launch operation on San Francisco to Los Angeles/Anaheim system backbone.



Building the System

- "High-speed" test section between Merced and Bakersfield.
- First priority = SF to LA/Anaheim backbone link.
- Other corridors and sections:
 - ✓ Can compete for local, state, and federal funding.
 - ✓ May be authorized if ready for construction, with funding available and limited bond needs.
 - ✓ May be authorized for early implementation where local agencies are pursuing improvements to accommodate commuter and safety needs.



Cost-Benefit

California's new high-speed train system will:

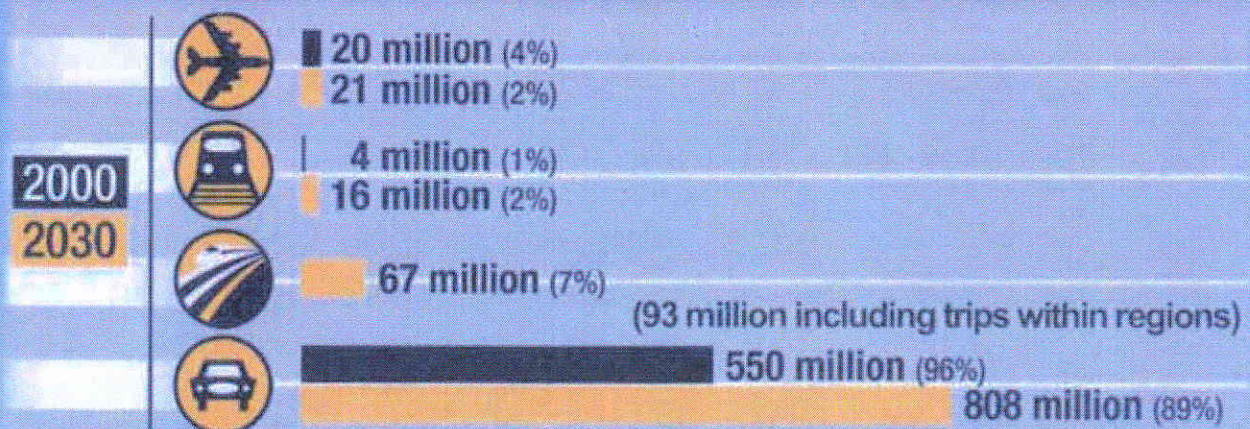
- Return nearly 3X value over system cost in next 40 years from such things as...
 - ✓ Passenger revenue and benefits to HST passengers
 - ✓ Reduced freeway congestion and delays.
 - ✓ Reduced airport congestion and delays
- Require no operating subsidies.
- Generate nearly \$2 billion in surplus revenues a year by 2030.
- Reduce pollution and improve health.





A New Travel Option for All Californians

Number of Trips Between California's Major Regions* Markets with Air Service



* Based on 50% of airfare at full system operation

The High-Speed Future

Service up to 220 MPH linking Southern California, the Central Valley and the San Francisco Bay Area.

	San Francisco (Transbay)	San Jose	Sacramento	Fresno	Los Angeles Union Station	Anaheim	Riverside	San Diego
San Francisco (Transbay)		:30	1:53	1:20	2:38	2:57	3:10	3:56
San Jose	:30		1:24	:51	2:09	2:28	2:41	3:27
Sacramento	1:53	1:24		:59	2:17	2:36	2:49	3:35
Fresno	1:20	:51	:59		1:24	1:43	1:56	2:42
Los Angeles Union Station	2:38	2:09	2:17	1:24		:20	:33	1:18
Anaheim	2:57	2:28	2:36	1:43	:20			
Riverside	3:10	2:41	2:49	1:56	:33			:48
San Diego	3:56	3:27	3:35	2:42	1:18		:48	

The High-Speed Future

- Proven reliable technology
- Operational throughout Europe and Asia
- Safest mode of travel
- On dedicated track
- Safely grade-separated from cars and trucks, pedestrians and other rail traffic
- Double-tracked with stations built to allow for express service



4080 Lemon Street, 3rd Floor • Riverside, CA
Mailing Address: P. O. Box 12008 • Riverside, CA 92502-2208
(951) 787-7141 • Fax (951) 787-7920 • www.rctc.org

November 18, 2009

Dan Leavitt
Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Comments to Environmental Scoping for the Los Angeles to San Diego via Inland Empire Portion for the High-Speed Train Project

Dear Mr. Leavitt:

On behalf of the Riverside County Transportation Commission (RCTC), thank you for the opportunity to provide comments to the scoping process prior to the preparation of the Alternatives Analysis for the Los Angeles to San Diego via Inland Empire High-Speed Train project.

Our primary comments and support can be found in the enclosed Commission agenda item, *California High-Speed Rail Update*, which was approved at our November 12, 2009 meeting. The action items included formally becoming a participating agency in the CHSRA EIR/EIS process, directing staff to work closely with the CHSRA to fully analyze both alignments along Interstates 15 and 215, and establishing an Ad Hoc Committee on High-Speed Rail.

The RCTC would also like to ensure that the environmental process works closely with impacted cities and communities early in the process. The RCTC will continue to support the Technical Working Group format to help facilitate these coordination efforts. Overall, the RCTC looks forward to working with the CHSRA in developing this significant project for our region.

Sincerely,

A handwritten signature in black ink that reads "Anne Mayer". The signature is fluid and cursive, with the first name "Anne" and last name "Mayer" clearly distinguishable.

Anne Mayer
Executive Director

Enclosure: November 12 Commission Agenda Item, *California High Speed Rail Update*

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

DATE:	November 12, 2009
TO:	Riverside County Transportation Commission
FROM:	John Standiford, Deputy Executive Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	California High Speed Rail Update

STAFF RECOMMENDATION:

- 1) Formally accept the California High-Speed Rail Authority's (CHSRA) invitation to join as a participating agency as part of the environmental impact report/statement (EIR/EIS) process for the Los Angeles to San Diego via the Inland Empire high-speed train (HST) project;
- 2) Direct staff to work closely with the CHSRA and affected local jurisdictions in Riverside County to ensure a thorough and comprehensive analysis of high-speed rail service for Riverside County to include the study of potential alignments along with Interstates 15 and 215; and
- 3) Convene and conduct meetings of the Commission's High-Speed Rail Ad Hoc Committee to consider and provide input on the environmental process for the Los Angeles to San Diego via the Inland Empire project with periodic updates to the entire Commission.

BACKGROUND INFORMATION:

In November 2008, California voters approved a \$9.95 billion bond measure for the development of a statewide high-speed rail system that is envisioned to whisk passengers from San Diego to San Francisco and points in between at speeds of up to 200 miles per hour. Although voter action took place only last year, the effort to build a statewide system dates back before the turn of the century. The CHSRA first released a business plan in 2000 and was funded at minimal levels by the Legislature to continue its task throughout the decade. Legislation to place a bond act on the ballot was actually approved in 2002, but subsequent legislative actions postponed an actual election until the decisive vote of the electorate actually took place last November.

Throughout the entire time program development continued. In 2001, the CHSRA and the Federal Railroad Administration started a tiered environmental review process for the HST system and in 2005 completed a first tier statewide program EIR/EIS and approved a conceptual statewide, 800-mile system between the San Francisco Bay Area, through the Central Valley, and then on to Los Angeles

The CHRSA has responded to that concern by adding the I-15 alignment as an alternative for study. Additionally, the CHRSA has responded to requests from the city of Riverside on the location of the line and facilities that would take place if an I-215 corridor was pursued. This kind of adaptability by the CHRSA is especially important during this phase of the project. A number of changes have taken place in land use and development since the original I-215 alignment was identified in 2005. More importantly, a significantly higher level of study is necessary to identify potential pitfalls and challenges the project might encounter on either an I-15 or I-215 alignment and at specific station locations. A comprehensive and thorough study of a number of viable options should be welcomed at this time since the CHRSA will be working on this effort until 2011.

Having more than one potential alignment for study is not unique to Riverside County for this segment. As many as five potential alignments are in play in Los Angeles County east of Union Station and reaching a single alignment in that area is likely to be challenging. There are also a number of station access issues that need to be addressed in San Diego County and yet a new adjustment has been added recently at the request of the city of San Bernardino, which has expressed its interest in a station.

Staff believes that it is far too early for the Commission to take a position on a single alignment or on specific station locations. Developing factual data and information to make that decision is a key objective of the environmental analyses and it is unlikely that the CHRSA will narrow down to a single alignment until late next year or even 2011.

What the Commission can do, and has already been doing, is to play an active role in the process. The Commission has hosted three stakeholder meetings that have provided the CHRSA the opportunity to obtain feedback and input from local jurisdictions and the local Caltrans District. The Commission has also been invited to join as a participating agency for the environmental effort and is a member of the Southern California High-Speed Rail Inland Corridor Group. The Commission voted to approve a memorandum of understanding to be part of this effort in February of this year. This organization includes representatives from the Southern California Association of Governments, San Diego Association of Governments, San Bernardino Associated Governments, and the San Diego Regional Airport Authority. This group provides input to the CHRSA and is an excellent venue for working cooperatively with other transportation agencies in the region.

Kris Livingston

From: Carmichael, Leann [Leann.Carmichael@sdcounty.ca.gov]
Sent: Friday, November 20, 2009 2:12 PM
To: jmartinez@cordobacorp.com; HSR Comments
Subject: LA-SD HST Section via the Inland Empire
Attachments: NOP comment letter 11-09.pdf; Participating Agency acceptance ltr 11-09.pdf

Attached are the County of San Diego's comments on the Notice of Preparation and our Participating Agency acceptance letter. Please add me to your list for notices and information. Thank you!

LeAnn Carmichael, LEED AP

Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, California 92123
Direct: (858) 694-3739
Fax: (858) 694-2555



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

November 20, 2009

Dan Leavitt, Deputy Director
California High Speed Rail Project
925 L Street, Suite 1425
Sacramento, California 95814

COMMENTS ON THE NOTICE OF PREPARATION FOR THE LOS ANGELES TO SAN DIEGO SECTION OF THE INLAND EMPIRE HIGH SPEED TRAIN

The County of San Diego has received and reviewed the Notice of Preparation for the Los Angeles to San Diego section of the Inland Empire High Speed Train Environmental Impact Report/Environmental Impact Statement (EIR/EIS) dated September 30, 2009 and appreciates this opportunity to comment. In response to the document the County, as a potential responsible agency under CEQA Section 15381, has comments that identify potentially significant environmental issues that may have an affect on the unincorporated lands of San Diego County that the County will need to have explored in the environmental document.

County Department of Planning and Land Use (DPLU), Department of Parks and Recreation (DPR), and Department of Public Works (DPW) staff has completed its review and has the following comments regarding the content of the above documents:

GENERAL COMMENTS

1. The County of San Diego, Land Use and Environment Group has developed Guidelines for Determining Significance that are used as guidance for determining the significance of environmental impacts in the unincorporated portions of the County of San Diego. The Guidelines also provide mitigation options for addressing potentially significant impacts. Project impacts that could have potentially significant adverse effects to the unincorporated County or County facilities should evaluate and mitigate environmental impacts using the guidance described in the County of San Diego Guidelines for Determining

Significance, available online at:

<http://www.sdcountry.ca.gov/dplu/procguid.html#guide>.

2. San Diego County is in the process of completing a North County Multiple Species Conservation Plan (MSCP) under the Natural Communities Conservation Program (NCCP). The draft North County MSCP map and plan information is available at: <http://www.sdcountry.ca.gov/dplu/mscp/nc.html>. The North County MSCP plan will cover the area from the San Diego County line south to Escondido. The area south of Escondido that remains in unincorporated jurisdiction is covered by the existing South County MSCP plan.
3. Overall, the County of San Diego is very interested in the final alignment chosen in northern San Diego County. Routes that favor the interstate corridors would produce the least impact to communities, property owners, natural habitats and corridors. Considering the topographic constraints in the area, it is understandable that some tunneling would be needed. However, we would encourage exploration of alternatives in the EIR/EIS that reduce the impacts to the area and remain economically feasible.
4. Extensive tunneling will require thorough geotechnical analysis. Issues such as faulting, vibration, groundwater, and disposal of mined material would need to be included in the EIR/EIS. The rock formations in the tunnel area may produce high quality aggregate materials that can be utilized in the construction of the railway if timed accordingly. This may help defray the high cost of tunnel construction.

TRANSPORTATION

5. Figure A (Los Angeles to San Diego Section via the Inland Empire) of the NOP depicts a proposed HST rail alignment that does not completely align with the existing state highway facility of I-15 and would likely traverse transportation infrastructure and roadway facilities in the unincorporated areas of northern San Diego County. The Project EIR/EIS should identify any County roads that will be closed, realigned, or impacted by the proposed route. The Project EIR/EIS should assess alternative alignments to reduce or avoid any impacts.
6. The Project EIR/EIS should clearly identify components of the HST Project that may impact County roadway facilities. The HST alignment, tracks, right-of-way, stations, and any ancillary facilities should be detailed in the Project EIR/EIS.
7. The Project EIR/EIS should note that the proposed HST Project will not preclude the construction of any planned County Circulation (Mobility) Element roads. The HST Project should accommodate all planned County Circulation Element roads.
8. The Project EIR/EIS should propose appropriately scaled mitigation for any direct impacts to County roadway segments and/or intersections.

9. The Project EIR/EIS/Traffic analysis should include identification and assessment of the potential traffic impacts associated with construction traffic generated by the proposed HST project.
10. The Project EIR/EIS should note that construction permits from the County will be required for any work that is done within the County ROW.
11. The Project EIR/EIS should consider payment to the County's Transportation Impact Fee (TIF) program as mitigation for any cumulative impacts to County facilities

If you have any questions on the above comments from DPW Traffic/Transportation Planning, please contact Bob Goralka at (858) 874-4202.

The County of San Diego appreciates the opportunity to continue to participate in the environmental review process for this project. We look forward to receiving and future environmental documents related to this project, the DEIR/EIS for review, or providing additional assistance at your request. If you have any questions regarding these comments, please contact LeAnn Carmichael at (858)694-3739 or via email at leann.carmichael@sdcounty.ca.gov.

Sincerely,



For

ERIC GIBSON, Director
Department of Planning and Land Use

cc: Vince Nicoletti, Group Program Manager, DPLU (via email)
Nael Areigat, Project Manager, Department of Public Works, (via email)
Bob Goralka, Department of Public Works, Transportation Division, (via email)
Rainbow Community Planning Group
Fallbrook Community Planning Group
Valley Center Community Planning Group
Twin Oaks Valley Community Sponsor Group
Bonsall Community Sponsor Group
LeAnn Carmichael, Land Use/Environmental Planning Manager, DPLU (via email)
Priscilla Jaszowski, Administrative Secretary, Department of Planning and Land Use, (via email)



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcountry.ca.gov/dplu

November 18, 2009

Dan Leavitt, Deputy Director
California High Speed Rail Project
925 L Street, Suite 1425
Sacramento, California 95814

PARTICIPATING AGENCY INVITATION FOR THE CALIFORNIA HIGH SPEED RAIL PROJECT LOS ANGELES TO SAN DIEGO SECTION

The County of San Diego has received your invitation to become a Participating Agency for the Los Angeles to San Diego Section of the Inland Empire High Speed Train. The County of San Diego's land use authority relates to the unincorporated lands in northern San Diego County where the project is proposed to traverse. We appreciate this opportunity to become a participating agency due to our interest in transportation projects and the communities and natural habitats that they may influence.

The lead contact for the project will be LeAnn Carmichael, Land Use and Environmental Planning Manager, with the County Department of Planning and Land Use (DPLU). She can be reached at (858) 694-3739 or email at leann.carmichael@sdcounty.ca.gov. Ms. Carmichael will coordinate with the other interested departments in the county, such as, the Department of Public Works, Department of Parks and Recreation, and the Air Pollution Control District.

We look forward to participating and receiving future environmental documents related to this project or providing additional assistance and input.

Sincerely,

ERIC GIBSON, Director
Department of Planning and Land Use

cc: Jose Martinez, Regional Manager, California High Speed Rail Authority, 925 L
Street, Suite 1425, Sacramento, California 95814
Vince Nicoletti, Group Program Manager, DPLU (via email)
Nael Areigat, Project Manager, Department of Public Works, (via email)
Bob Goralka, Department of Public Works, Transportation Division, (via email)
Rainbow Community Planning Group
Fallbrook Community Planning Group
Valley Center Community Planning Group
Twin Oaks Valley Community Sponsor Group
Bonsall Community Sponsor Group
LeAnn Carmichael, Land Use/Environmental Planning Manager, DPLU (via
email)
Priscilla Jaskowiak, Administrative Secretary, Department of Planning and
Land Use, (via email)

Kris Livingston

From: Galloway, Tait [TGalloway@sandiego.gov]
Sent: Thursday, November 19, 2009 2:58 PM
To: HSR Comments
Cc: Anderson, William; Nelson, Job; Rath, Phil; Wright, Mary; Gallardo, Cecilia; Blake, Martha; Boekamp, Patti; Van Wanseele, Deborah; Marabian, Linda; Hajjiri, Samir; Gardiner, Maureen
Subject: LA-SD HST Section via the Inland Empire NOP Comment Letter
Attachments: City of San Diego Comment Letter HST NOP EIR-EIS 11-19-09.pdf

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority

The attached PDF contains the City of San Diego's comment letter dated 11-19-09 in response the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire being prepared by the California High-Speed Rail Authority.

If you have any problems opening or reading the PDF please contact the following staff person:

Tait Galloway, Senior Planner
City of San Diego, City Planning & Community Investment Dept.
202 C St., San Diego, CA 92101
(619) 533-4550 Fax (619) 533-5951



THE CITY OF SAN DIEGO

MAYOR JERRY SANDERS

November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

SUBJECT: City of San Diego Comments on the Notice of Preparation (NOP) for the Los Angeles to San Diego via Inland Empire Section Project EIR/EIS

Thank you for the opportunity to provide comments on the California High-Speed Rail Authority's NOP for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the San Diego section of the high-speed train (HST) corridor. The City has been working with the San Diego Association of Governments (SANDAG) and California High-Speed Rail Authority (CHSRA) for several years to advance San Diego's connection to the state's proposed HST system and we look forward towards working with SANDAG and CHSRA on its implementation within the City.

For your consideration, the City is providing the following comments:

- The City continues to support the state's efforts to plan, design, and construct HST service along this important corridor.
- The City will work cooperatively with SANDAG and the CHSRA to facilitate the advancement of the project level EIR/EIS and implementation of the corridor within the City.
- A station alternative at the proposed Lindbergh Intermodal Transportation Center (ITC) should be included in the process. SANDAG, the San Diego County Regional Airport Authority, and the City are underway with advanced planning for this center, with the first phase of improvements scheduled for 2015.



City Planning and Community Investment

202 C Street, MS 4A • San Diego, CA 92101-3864
Tel (619) 235-5200 Fax (619) 533-5951

November 19, 2009

Mr. Leavitt

Page 2 of 3

- All station locations that are evaluated should provide regional multimodal connections and consider vehicle parking demands, traffic impacts, and land use impacts. When evaluating impacts to land use within the City, the EIR/EIS should use the City's adopted General Plan land uses and community plan land uses.
- The process should consider the existing and planned light rail transit along SANDAG's Mid-Coast Corridor and work closely to ensure that both services can share the same general corridor between the Old Town Transit Center and University City. This should also include evaluating City right-of-ways and public and privately own property.
- The process should consider potential tunnel alignment options in University City area and/or the use of the I-5 right-of-way rather than Rose Canyon between I-805 and I-5.
- If the process considers a potential station at University City, it should be located at or in proximity to the planned multimodal transit station which will be served by the Mid-Coast light rail transit extension and regional and local transit service.
- The process should consider potential impacts to view corridors identified in the City's adopted community plans and local coastal program associated with use of aerial structures.
- The process should consider different grade alternatives along the Downtown to Old Town Transit Center corridor and potential impacts to City right-of-ways and public and private property.
- The process should consider potential impacts to underground and above ground utilities.
- The process should consider that portions of the Downtown to Old Town Transit Center corridor and the Mid-Coast Corridor are within the North Bay Redevelopment Project Area administered by the Redevelopment Agency of the City of San Diego.
- The process should consider ongoing and future planning and project development work for improvements along the Los Angeles-San Diego-San Luis Obispo (LOSSAN) corridor for conventional commuter and intercity rail services.
- The process should utilize the City's published CEQA significant thresholds and applicable technical evaluation guidelines including, but not limited to biological, traffic, and historical resources when evaluating potential impacts within the City.

November 19, 2009

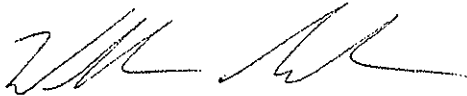
Mr. Leavitt

Page 3 of 3

- The City recognizes that the proposed extension to the International Border is not part of the project-level analysis; we want to continue to work with SANDAG and the CHSRA to pursue this as a possible future extension.
- The City also supports SANDAG's effort to work cooperatively with the CHSRA on the feasibility to operate a high-speed local overlay service along the HST alignment that would serve other markets such as the commuter market along the I-15 corridor.

Thank you for considering our comments. We look forward to continuing to work together with SANDAG and the CHSRA. If you have any questions concerning the City's comments, please contact Tait Galloway, Senior Planner at (619) 533-4550 or tgalloway@sandiego.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Anderson', with a stylized, flowing script.

William Anderson, FAICP
City Planning & Community Investment Director

WA/TSG

Los Angeles to San Diego via the Inland Empire Section
California High-Speed Train Project
Regulatory Agency Scoping Meeting

Thursday, October 15, 2009

9:00 a.m. - 12:00 noon

U.S. Fish and Wildlife Service
6010 Hidden Valley, Room 1
Carlsbad, California 92011

Reported by Anne M. Zarkos, RPR, CRR, CSR No. 13095

1 Comments by Meeting Attendees

2 ***

3 TAIT GALLOWAY: I'll just make a couple
4 comments just as you consider going forward. I guess
5 wherever possible -- and my comments are germane just to
6 the City of San Diego. On the I-15 corridor and the
7 I-5, to look at options, I understand some of the
8 earlier discussions of I-15 was looking at an aerial
9 structure, potentially looking at grade structure or
10 below grade. I understand there's probably cost and
11 right-of-way issues. But if that could be at least
12 considered or evaluated as part of the environmental.

13 The other -- one of the other issues dealing
14 with alignment is, as part of a working group and our
15 discussions with the City of San Diego and High-Speed
16 Rail team, was an option of looking at a route that went
17 through University City that potentially could avoid
18 using the Rose Canyon right-of-way and hooking up with
19 Interstate 5.

20 And then likewise, as it goes down the I-5
21 corridor, the option of looking at different alignments
22 both at grade, below, and aerial structures to minimize
23 visual impacts would be welcome by the City.

24 I guess the other two are more questions. The
25 other one is dealing with SB 375 and the work that the

1 local jurisdictions in the County of San Diego are
2 working with SANDAG at the long range assumptions that
3 we're making for 2050 to avoid the commute out of the
4 region. So in other words, looking at how we would
5 house our future population for 2050.

6 So this actually brings up an interesting thing
7 I hadn't thought about before. A gentleman had made it
8 during the presentation about future development
9 happening outside in Greenfield Development. So
10 essentially, that's what we had been assuming before.
11 But now because of SB 375, we're assuming growth now is
12 gonna happen within the region. So it kind of brings up
13 an interesting scenario, I don't think one that's been
14 thought of before, or at least hasn't been addressed as
15 part of the SANDAG forecast process we're currently
16 working on.

17 And then finally, I would just ask about land
18 use compatibility and TOD development. Are you gonna be
19 working with the jurisdictions in terms of what land use
20 assumptions, or are you just going to assume what the
21 current plans are in place that would be allowed?
22 Basically, how are you gonna address that in the
23 environmental document?

24 For the record, my name is Tait Galloway, and
25 I'm with the City of San Diego City Planning and Use

1 Department.

2 MS. WILKINSON: We will address those
3 questions. I know that for the land use, the way we're
4 organizing ourselves is we're gonna be meeting with the
5 different technical working groups. And SANDAG is in
6 the process of forming the representatives that are
7 gonna represent the individual jurisdictions for
8 San Diego County. And so as working with that group,
9 and it might be yourself or others from the City
10 planning department, we're gonna be taking that
11 information and incorporating it into the EIR/EIS.

12 But it does -- I do believe we are going to be
13 required to look at existing and approved land uses when
14 we do our evaluation. So it will depend on the timing
15 of where you're at on your plan updates.

16 Any other comments, questions?

17 DEBBIE KNIGHT: My name is Debbie Knight. I'm
18 executive director of Friends of Rose Canyon. And I've
19 been doing this somewhat similar presentation at our
20 planning group and also the previous scoping meetings in
21 the past couple of days.

22 I would just like to mention that it's been
23 made -- there's been very, very strong support in our
24 community, certainly, and I think elsewhere, to study
25 the I-15 to Qualcomm Row, which was in the program EIR.

1 It was -- had actually many advantages in the program
2 EIR. It had better ridership. It had less impacts. It
3 was shorter route. It was a quicker time, and I-15 to
4 Qualcomm.

5 There were also options looking at going down
6 from there to downtown but also ending at Qualcomm. And
7 I think it's really important. I don't -- I'm not
8 sure -- we've been assured at other meetings that there
9 might be a chance to look at that.

10 The only reason it isn't listed here is because
11 SANDAG and the City of San Diego had said they didn't
12 want it considered. But it was certainly a very viable
13 alternative based on the program EIR. And I would
14 encourage the agencies here to also request that that be
15 studied, because I think it's really a mistake to go
16 forward with an alternative here through
17 University City, potentially through the canyon, or the
18 only way to avoid the canyon, massive tunneling, that
19 you're looking at cost effectiveness and ridership are
20 things that the agencies should request that the I-15 to
21 Qualcomm be studied. Thank you.

22 MS. WILKINSON: Thank you.

23 TED ANASIS: I'm Ted Anasis with the San Diego
24 County Regional Airport Authority, and I just have four
25 comments.

1 The first is really related to the purpose and
2 need in the document, primarily from -- just as a
3 background, the Airport Authority operates San Diego
4 International Airport, but it's also the land use
5 compatibility planning agency or airport land use
6 commission for San Diego County. And there is an
7 airport land use compatibility plan that will be
8 prepared for San Diego International Airport that guides
9 land uses surrounding the airport, including safety and
10 requirements.

11 So related to planning and land use, I would
12 suggest that there be analysis or compatibility with the
13 adopted airport master plan, the proposed airport use
14 compatibility plan for San Diego International Airport
15 and consistency with the destination Lindbergh
16 multiagency planning effort, and specifically where the
17 rail station he would connect to the -- to
18 Lindbergh Field.

19 The second comment related to purpose and need
20 is also just essentially collaboration and
21 substantiation of the forecast for passenger demand, and
22 just friendly advice to make sure that there's
23 coordination amongst the assumptions and the technical
24 analysis for the passenger demand.

25 More specifically related to the third comment

1 is related to operations. Around an airport there are
2 federal aviation requirements and some safety and
3 security concerns. So those should be thought through
4 in terms of the proximity of the station to the airport.

5 And then finally, circulation, traffic and
6 parking, there are local road and intersection
7 challenges around an airport station or connection, the
8 rail crossings, and then cooperation amongst parking
9 facilities.

10 MS. WILKINSON: Thanks, Ted.

11 ANDY HAMILTON: I'm Andy Hamilton with the
12 Air Pollution Control District for San Diego. And my
13 comments are basically that the air quality analysis,
14 I'm wondering how deep the analysis is gonna go.

15 There's the immediate impacts, and then there
16 are the induced impacts, you know, within a couple of
17 years. But then there's impacts within 10, 15, 20
18 years. And probably most of those will be positive, but
19 not all of them. And I'm just -- my comment is, you
20 know, of course at some point you have to cut off how
21 much you're gonna study. But I'd be interested to see
22 how that decision will be made.

23 There will be induced -- this facility is not
24 like anything else we've cited. It's like an airport,
25 but it's also like a train station for a conventional

1 train. And so I think we need to think of it very
2 differently.

3 In my mind, this -- it provides an opportunity
4 for the state to demonstrate best practices not only in
5 terms of a, you know, a High-Speed Rail system but also
6 in terms of the local streets and roads around and the
7 urban design. And it would be good if, in addition to
8 building this facility, there be some money provided to
9 the local governments to do traffic calming, pedestrian
10 and bicycle and transit access designing within, you
11 know, a certain vicinity of the station so that they
12 demonstrate best practice in those areas.

13 Because a lot of local governments would
14 probably do those things but don't feel that like they
15 can afford them. Or, you know, some of them don't
16 really understand what best practice is, frankly. So it
17 would be good to demonstrate some of those. So there
18 will be safety issues with traffic, not just in the
19 vicinity of the station but some ways away from them.

20 Traffic diversion from airports, and of course
21 you're gonna be looking at the net air quality benefits
22 from that. And from development, that will happen near
23 the stations as opposed to, you know, 20 miles out in
24 the back country. So there will be some relieving of
25 development pressure by development in this area and,

1 you know, it would be good to know what those net
2 impacts are.

3 The parking alternatives also presented a lot
4 of interesting conundrums, because it's gonna take a lot
5 of land or building upwards to provide the parking
6 facilities to deal with these. And, you know, how far
7 away can you build those and still have them serve the
8 station in a way that's attractive for passengers for
9 downtown San Diego. I don't think you have a lot of
10 option, so it will be a huge coordination effort there.
11 I'm not telling you anything you don't really know, I'm
12 sure.

13 But I would be interested in the EIR looking at
14 parking alternatives, not just with where and how
15 they're provided but how they're managed. So what is
16 the pricing on parking?

17 And in that way, you think of it like you'd
18 think of an airport, whereas, you know, in other train
19 station areas there's free parking. So I don't think
20 free parking is a good idea for this facility. And how
21 to manage that parking in a way that's used most
22 effectively would be good.

23 And then there will be new transit services
24 that are induced as a result. If you're looking at the
25 net air quality benefits or net air quality impacts, I

1 think that should include what new transit services
2 would be created to serve this station area, or will
3 they be routes that are diverted from existing routes.

4 And then I applaud the idea that you're gonna
5 provide urban design guidelines for the stations.
6 That's terrific. And I hope there will be an
7 opportunity to comment on those guidelines. And that's
8 pretty much my comments.

9 MS. WILKINSON: Thank you. Veronica.

10 VERONICA CHAN: Veronica Chan with the
11 Army Corps of Engineers. I just want to say that in
12 addition to the 404 Clean Water Act requirements that
13 you're considering, there's Section 408 for impacts to
14 levies and flood control channels. And that's not with
15 the regulatory division. That would be with our civil
16 works and asset management division.

17 And they would need to go through and -- for
18 impacts to federal property or land or, I guess, with
19 federal interests involved, we need to go through our
20 own process. So it would be good to involve, I guess,
21 the entire Corps, I guess, regulatory and those other
22 divisions as we go through the process so that we can
23 eventually maybe adopt the document, if that's -- if we
24 agree, if that's acceptable.

25 MS. WILKINSON: Any more comments? One more.

1 TAIT GALLOWAY: Andy brought up a good point.
2 I just want to reiterate is that when we look at parking
3 at the station, that is gonna be a huge issue for the
4 City of San Diego, both in the University City area and
5 downtown. And I would encourage the High-Speed Rail
6 Authority to look at alternate transportation means
7 using transit and other type measures to help reduce
8 that parking demand and a number of trips to these
9 facilities.

10 MS. WILKINSON: Okay. With that I think we're
11 done with our presentation and formal comment. We are
12 going to come back to you again. I will be the point of
13 contact for setting up those future agency coordination
14 meetings. So without any questions or you need to leave
15 me your contact information, come see me.

16 And then we have some information that we're
17 gonna distribute on disk to you, and I did hear a
18 request for some information that's not on the disk,
19 like the urban guidelines for the station. So we can
20 either forward you the address on a website where they
21 might have that, or we can try to get that to you on a
22 separate disk.

23 MS. AVELLANO: Just for your reference, the
24 website address is on this handout on the bottom, and
25 there's actually a lot of information of the technical

1 document there from past work and the various guidelines
2 that the Authority has prepared over time, tech memos.
3 So I highly recommend you visiting that and poking
4 around the different references. There's a lot of
5 information there.

6 MALE SPEAKER: Is the presentation on the
7 website?

8 MS. AVELLANO: The presentation as well is on
9 the website, yes. Actually, or soon will be there. The
10 PDF file was just done, and as we speak it may be
11 posted.

12 MS. WILKINSON: Just a reminder, on this disk
13 we do have purpose and need. We have a copy of the maps
14 that we've got up here and the methodologies on the
15 disk. Thank you.

16 (Whereupon the meeting was adjourned at
17 11:01 a.m.)
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1 I, Anne M. Zarkos, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:
3 That the foregoing proceedings were taken
4 before me at the time and place herein set forth; that
5 any witnesses in the foregoing proceedings, prior to
6 testifying, were duly sworn; that a record of the
7 proceedings was made by me using machine shorthand which
8 was thereafter transcribed under my direction; that the
9 foregoing transcript is a true record of the testimony
10 given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal case,
13 before completion of the proceedings, review of the
14 transcript [] was [] was not requested.

15 IN WITNESS WHEREOF, I have this date
16 subscribed my name.

17

18 Dated this _____ day of _____, 2009,
19 at San Diego, California.

20

Anne M. Zarkos, RPR, CRR

21

CSR No. 13095

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THE CITY OF SAN DIEGO

SHERRI S. LIGHTNER
CITY COUNCILMEMBER – DISTRICT 1

DONNA FRYE
CITY COUNCILMEMBER – DISTRICT 6

November 20, 2009

California High-Speed Rail Authority
Mr. Dan Leavitt, Deputy Director
Attn: LA - SD HST Project EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

Subject: Comments on the Notice of Preparation for the Los Angeles to San Diego via Inland Empire Section Project EIR/EIS

Thank you for the opportunity to comment on the path of a high-speed train (HST) corridor through our region. We support bringing HST to San Diego. HST will benefit our region in many ways, including adding 45,250 more jobs by 2030, stimulating the economy, decreasing the demand for auto travel, and reducing our overall carbon emissions. We may submit additional comments and respectfully request that they be included in the LA-SD HST Project Level EIR/EIS that you will be preparing.

We respectfully request that the process include the following:

- An alignment alternative along I-15 to a station alternative at Qualcomm Stadium should be studied in depth in any EIR/EIS.

Data from the *Final Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed California High-Speed Train System* prepared by the California High-Speed Rail Authority and the Federal Railroad Administration in 2005 demonstrates that this alignment is cheaper to build, faster to the region, and will attract 350,000 more intercity passengers by 2020 than the two proposed alignments along the I-15 to I-5 corridor (Table 6.5.3). This alignment will have lower potential impacts to aesthetic, visual, archaeological, and cultural resources. Moreover, a stop at Qualcomm is more centrally located in the San Diego region and provides opportunities for Smart Growth and redevelopment. This route does not preclude a final stop at Lindbergh Field or downtown San Diego. The corridor could also be continued to the international border.

The 2005 EIR/EIS found that the I-15/Qualcomm route would be superior in the following ways:

- **Cheaper to build** – The 2005 EIR/EIS evaluated the costs of the alternatives and found that the I-15/Qualcomm route would be at least \$75 million cheaper to build than the I-15/I-5 routes—and that did not take into account the cost of tunnels and an underground station in University City, which have since been proposed as part of the I-15/I-5 routes. Other route options in San Diego have been rejected as too costly because tunneling was necessary (pp 2-80).
- **Easier to build** - The 2005 EIR/EIS found that the LOSSAN route from Oceanside to San Diego would be constrained with the addition of HST (pp 2-87 to 2-88). It is not clear whether the 2005 EIR/EIS evaluated the constraining effect of HST on the existing Amtrak and freight routes, and proposed light rail route (the Mid-Coast Corridor project) along the I-15/I-5 routes from University City to Lindbergh Field.
- **Faster to the region** – The 2005 EIR/EIS found that high-speed trains along the I-15/Qualcomm route would travel at greater average speeds and have shorter travel times than high-speed trains along the I-15/I-5 routes. High-speed trains along the I-15/Qualcomm route were predicted to travel at average speeds of 153 mph, compared to 91 mph or 93 mph for the two I-15/I-5 routes (pp 2-80). The transit time for the I-15/Qualcomm route would be 4.2 minutes from Mira Mesa, compared to transit times of 14 minutes for the two I-15/I-5 routes (pp 2-80 and Table 6.5.3). (Please note the discrepancies between the speeds and travel times listed on pp 2-80 and in Table 6.5.3.)
- **Fewer aesthetic/visual impacts** – The 2005 EIR/EIS found that the I-15/I-5 routes would have significant visual and aesthetic impacts while the I-15/Qualcomm route would not: “In the Mira Mesa to San Diego segment, the two alignment options that would join the coast and serve downtown San Diego would have more potential high visual impacts than the alignment option that would serve the Qualcomm Stadium station” (pp 3.9-17).
- **Fewer archaeological/historical impacts** – The 2005 EIR/EIS found that the two I-15/I-5 routes impact 47 and 49 recorded archaeological sites, which is nearly an order of magnitude greater than the 5 sites impacted by the I-15/Qualcomm route (pp 3.12-25). Similarly, the potential for impacts on historic resources is higher for the I-15 to I-5 routes than it is for the I-15/Qualcomm route: “For Mira Mesa to San Diego, the two alignments each average about 21% of the study area built during the historic period. None of the spur from I-15 to Qualcomm Stadium developed during the historic period. Over 95% of the area around the San Diego Station at the Santa Fe Depot was developed during the historic period, and the station structure is listed in the NRHP” (pp 3.12-26).

Given its better ranking on these and other issues, the Qualcomm route should not have been eliminated from consideration

- **An HST corridor to the border should be studied in depth in any EIR/EIS.**

We believe that a continuation of the I-15 corridor route to the border should be included in the evaluation. HST presents a remarkable opportunity to partner binationally to bring progress to our entire region. Building HST to the border will provide redevelopment opportunities and economic growth in Otay Mesa, San Ysidro, and the South Bay area. An HST station at Rodriguez International Airport could be a part of a larger plan for a binational regional airport.

- **Facilitate meaningful public participation as promised in the 2005 EIR/EIS (“Provide opportunities for community involvement early in project level studies” (pp 3.7-26).**

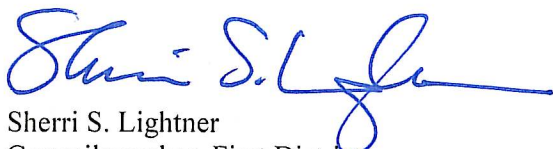
Our constituents have shown great interest in participating in this project, as demonstrated by the numbers from the public scoping meetings held in October, 2009. 178 individuals attended the scoping meeting held in the University City neighborhood of San Diego—more than the other two meetings in the region combined, and many more than the 34 who attended the April 24, 2004 meeting at the San Diego Association of Governments (SANDAG). CHSRA officials said that major themes of public comments they have received so far are to consider the I-15 corridor to Qualcomm, and concerns regarding Rose Canyon, property impacts, earthquake safety, and financing.

Members of the public sent over 150 emails to the members of the SANDAG Executive Committee before their November 13, 2009 meeting, asking them to request that the I-15/Qualcomm route and an extension to the border be studied. We also made this request in a letter to the SANDAG Executive Committee dated November 12, 2009 (Attachment 1). We urge the public's main concerns and suggestions to be taken seriously.

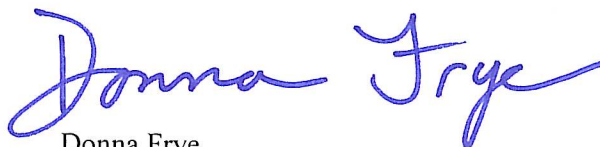
The public involvement seen to date is mainly a result of grassroots citizen action, and not as a result of any initiative by the CHSRA. We have been disappointed by the minimal to non-existent efforts by SANDAG and the CHSRA to involve the public in the process so far, and we hope you find ways to improve those efforts in the future. Suggestions are to engage a broader spectrum of the public by using appealing vernacular in advertisements for scoping meetings, instead of legalese that many are unable to understand; engage the public and elected officials earlier in the process rather than working for years on a project behind closed doors; open meetings of technical working groups to the public or publishing their findings on the internet; place important documents in libraries of neighborhoods potentially impacted by the project, not just a token copy at the central library; advertise scoping meetings prominently throughout the community; and hold scoping meetings at a variety of times when the most people are able to attend, including weekends and evenings. In addition, facilitate public participation by organizing documents along regional lines. In particular, rather than presenting the information for each parameter and all regions, present an evaluation of all parameters for each given region.

Thank you for your consideration, and we look forward to working with you to bring HST to our region.

Sincerely,



Sherri S. Lightner
Councilmember, First District
The City of San Diego



Donna Frye
Councilmember, Sixth District
The City of San Diego

Attachment 1



THE CITY OF SAN DIEGO

SHERRI S. LIGHTNER
CITY COUNCILMEMBER – DISTRICT 1

DONNA FRYE
CITY COUNCILMEMBER – DISTRICT 6

November 12, 2009

SANDAG Executive Committee
401 B Street, Suite 800
San Diego, CA 92101-4231

Dear Chair Pfeiler & Honorable Committee Members:

Subject: SANDAG Comments to the California High-Speed Rail Authority on the Notice of Preparation for the Los Angeles to San Diego via Inland Empire Section Project EIR/EIS

At your meeting tomorrow, you will consider comments from SANDAG to the California High-Speed Rail Authority (CHSRA) on a high-speed train (HST) corridor through our region (Item 4).

We appreciate that your draft comments include a pledge from SANDAG to continue to support the state's efforts to plan, design, and construct an HST corridor through our region, and to work cooperatively to move forward with a project level EIR/EIS and implementation of the corridor. HST will bring many benefits to our region, including 45,250 more jobs by 2030, economic stimulus, decreased demand for auto travel, and an overall reduction in carbon emissions.

We respectfully request that the following comments also be included in your letter:

- **An alignment alternative along I-15 to a station alternative at Qualcomm Stadium should be included in the process.**

The CHSRA's own 2005 program EIR/EIS demonstrated that this alignment is cheaper to build, faster to the region, and will attract more intercity passengers than the Carroll Canyon or Miramar Road alignments. This alignment was also shown to have lower potential impacts to aesthetic, visual, cultural, and paleontological resources. Moreover, a stop at Qualcomm is more

centrally located in the San Diego region and provides opportunities for Smart Growth and redevelopment. This route does not preclude a final stop at Lindbergh Field or downtown San Diego. The corridor could also be continued to the international border.

- **Summary of comments received at local public scoping meetings, including those which the CHSRA has acknowledged receiving.**

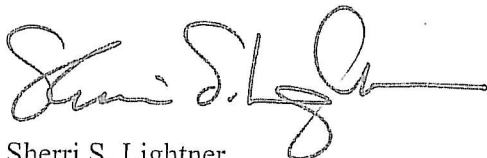
While these comments were also collected by the CHSRA, SANDAG represents the citizens of our region and its comments ought to reinforce and reflect their views. According to your backup material for Item 4, public comments at local scoping meetings “focused on concern for the proposed alignment through Rose Canyon in University City, potential traffic impacts near stations, and the need for additional construction along the Interstate 15 corridor.” At the November 10th University Community Planning Group meeting, CHSRA officials said that major themes of public comments they have received so far are to consider the I-15 corridor to Qualcomm, and concerns regarding Rose Canyon, property impacts, earthquake safety, and financing. Most of these comments are not currently reflected in your letter, and we believe they should be included.

- **A corridor to the border should be studied as a part of the project level EIR/EIS.**

At this stage in the environmental process, we believe that a continuation of the I-15 corridor route to the border should be included in the evaluation. HST presents a remarkable opportunity to partner binationally to bring progress to our entire region. Building HST to the border will provide redevelopment opportunities and economic growth in Otay Mesa, San Ysidro, and the South Bay area. An HST station at Rodriguez International Airport could be a part of a larger plan for a binational regional airport.

Thank you for your consideration, and we look forward to working with you to bring HST to our region.

Sincerely,



Sherri S. Lightner
Councilmember, First District
The City of San Diego



Donna Frye
Councilmember, Sixth District
The City of San Diego

Kris Livingston

From: Evans John [johnleeevans@sandi.net]
Sent: Sunday, November 15, 2009 8:40 PM
To: HSR Comments
Subject: Proposal of high speed rail through Rose Canyon Park

California High Speed Rail Authority,

I am very concerned that there is a proposal to study a potential high speed rail route through Rose Canyon in San Diego. Rose Canyon Open Space Park is an integral part of the University City community. It is immediately adjacent to University City High School. Furthermore, we have three elementary schools and a large middle school within walking distance of the park. We have student groups that visit the park in the neighborhood for real-life environmental studies. Nearly 5,000 students attend school in this area.

As our University City representative to our San Diego Unified School Board, I strongly oppose routing high speed trains either through or near the Rose Canyon Park. This type of open space city park is a rare find in an urban area. Hands-on environmental education has been proven to be a successful science teaching method. We must not break the connection between our schools and Rose Canyon Open Space Park of the City of San Diego. The passage of high speed trains, along with the construction of high fences and retaining walls, would destroy the benefits of this special urban park.

I strongly encourage the developers of the high speed rail to consider another route near a freeway or any other route that does not damage a city park. We can only teach our students to protect our natural environment if we are doing that ourselves.

John Lee Evans
San Diego Unified School District Trustee, District A

Kris Livingston

From: Linda Geldner [linda@geldner.com]
Sent: Wednesday, November 18, 2009 9:39 PM
To: HSR Comments
Cc: rvelazquez@arellanoassociates.com; 'Ly, John'; Veeh, Daniel; Linda Culp; Brian Hausknecht; Michael Zdon; Greg Parks; Jose de Jesus Martinez
Subject: LA-SD HST Section via the Inland Empire
Attachments: MMCPG HSR letter with scoping comments 2009-11-17.pdf

Attached letter provides scoping comments for the Alternatives Analysis for the High Speed Train EIR/EIS, Anaheim to San Diego from the Mira Mesa Community Planning Group (MMCPG). They voted unanimously to support and submit these comments on Monday night. Please feel free to call if you have any questions.

I would like to thank all the staff in the Cc. They provided excellent support over the last week as I scrambled to pull information together. We look forward to participating as a major stakeholder.

Sincerely,
Linda Geldner
Chair MMCPG



linda geldner, r.a. / principal

7830 norcanyon way
san diego, ca 92126
858-578-1076
cell: 858-610-9030
web: www.geldner.com

**Mira Mesa Community Planning Board
San Diego, CA 92126**

November 17, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 I. Street, Suite 1425
Sacramento, CA 95814

Subject: Comments Regarding the NOP/NOI for the LA-SD High Speed Train (HST)
Section via the Inland Empire of the California High-Speed Rail

Dear Mr. Leavitt:

The Mira Mesa Community Planning Group (MMCPG) is an officially recognized community planning group in the City of San Diego. Our purpose is to advise the San Diego City Council, Planning Commission, and other decision-makers on development projects, general or community plan amendments, rezonings, and public facilities.

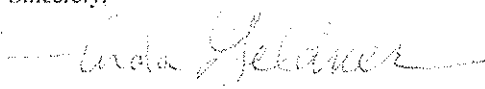
Mira Mesa is a major stakeholder in the HST Anaheim to San Diego project. Currently the proposed alignment traverses our community at either Carroll Canyon and/or Miramar Road. MMCPG is committed to active participation in the planning process to ensure the best possible results. Please incorporate these comments in the scope of your Alternatives Analysis (AA) for the draft EIS/EIR:

- We request your staff keep us informed by providing a presentation quarterly and/or at major milestones in the process.
- At least one viable alternative that does not traverse the community of Mira Mesa should be examined in detail in the Alternatives Analysis (AA) Study.
- Any alternative that does traverse Mira Mesa should be analyzed for all impacts especially noise and vibration in and across the canyons that could affect residents.
- Explain how High Speed (HS) commuter trains operating on the same HST (long distance) line would safely work, where and how stations could be incorporated into the HS line and how this affects the choice of a preferred alternative.
- Mira Mesa Transit Center is planned at I-15 and Hillary. Any alignment down I-15 should incorporate future HS commuter train service to the transit center into the system design.

- Each alternative should be analyzed for the potential ridership levels it would generate.

We would like to thank your contract staff, Mr. Michael Zdon and SANDAG staff, Mr. Danny Veeh for an excellent presentation made on short notice at the MMCPG meeting 16 November. The community had many questions which could not yet be answered, so we look forward to a follow on presentation in early spring to bring us up to date on the progress. We appreciate this opportunity to provide comments and look forward to participating as a major stakeholder on this project.

Sincerely,



Linda Geldner, Chair
Mira Mesa Community Planning Group

cc: Mayor Jerry Sanders, City of San Diego
San Diego City Councilman Carl DeMaio
San Diego County Supervisor Pam Slater-Price
State Assemblyman Nathan Fletcher, 75th District
State Senator Dennis Hollingsworth, 36th District
Congressman Brian Bilbray, 50th District
U.S. Senator Barbara Boxer
U.S. Senator Dianne Feinstein
SANDAG, Regional Transportation Planning
Community Planners Committee (CPC)
San Pasqual/Lake Hodges Planning Group
Rancho Penasquitos Planning Board
Carmel Mountain Ranch Planning Group
Sabre Springs Planning Group
Ranch Bernardo Planning Board
Scripps Ranch Planning Group

Old Town San Diego Community Planning Group

Christine Robinson, Chairperson
2476 San Diego Avenue
San Diego, California, 92110

Wednesday
Nov 18th
2009

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Visual and noise impacts from an elevated train at Old Town San Diego, proposal for at grade

Dear California High Speed Rail Authority:

Our Community Planning Group contains a section of this proposed high speed rail alignment. At our November 10th meeting the Group approved this motion:

The Committee:

A) Endorses the following concerns and the need for long term transportation and resource management planning:

- 1) Protect and Interpret Old Town's Historic Resources. This includes Kosa'aay (Cosoy), the San Diego Presidio, all of Presidio Park with the golf course, Old Town San Diego State Historic Park, and the San Diego River and wetlands.**
- 2) Improve Regional East - West vehicular circulation from Rosecrans St. to Hotel Circle without impacting Old Town Historic District.**
- 3) Improve Regional North - South vehicular circulation from Pacific Highway to Morena Boulevard without impacting Old Town Historic District.**
- 4) Provide a railroad grade separation for vehicles and pedestrians without impacting Old Town Historic District.**
- 5) Provide direct access from Pacific Highway to Interstate 8.**
- 6) Respect private property;**

B) and, presents the www.cosoy.org/Proposal.html as one possible example which comprehensively addresses many of these issues;

C) and, to communicate our concerns to SANDAG, CALTRANS, and other appropriate Agencies.

This Committee is concerned about visual and noise impacts from an elevated train at Old Town. Notice that the Cosoy.org proposal moves the automobiles over the tracks and pedestrians under the tracks near the Taylor Street grade crossing. **The trains stay at grade.** This will reduce the visual and noise impacts from the trains at Old Town. We suspect that the construction costs of the Cosoy proposal will be less than the cost of a trestle to carry the trains over Interstate 8 interchange, as currently indicated on your route map.

Yours truly, Geoffrey Mogilner, Secretary



Rainbow Planning Group

**Keeping Rainbow Rural
Advising The Board of Supervisors ~ San Diego County**

**To: Mr. Dan Leavitt, Deputy Director
925 L Street, Suite 1425
Sacramento, Ca. 95814**

Date: November 16, 2009

**Subject: Los Angeles to San Diego via the Inland Empire Section HST
Project EIR/EIS**

E-mail: comment@hsr.ca.gov

From: Rainbow Community Planning Group

The Rainbow Community Planning Group has voted unanimously that the following issues be considered for the Temecula via tunnel to Escondido Line Alignment High Speed Rail EIR/EIS.

- From Temecula, the proposed alignment would divert from the I-15 freeway and tunnel through the community of Rainbow and reconnect with the corridor in the Stewart Canyon area to the south of Rainbow. The current proposed tunnel alignment outside of the I-15 corridor in Rainbow will have high projected costs, and the tunnel section would result in considerable right-of-way constraints, making this alignment alternative impracticable. The purpose of a tunnel would be to improve travel times and eliminate tight curves. However, eliminating tight curves would result in tunnel alignments through the community of Rainbow that do not follow existing transportation rights-of-way. This alignment would not be compatible with the existing development and would have considerable seismic and hydrological constraints. The alignment would also have high potential impacts to the natural environment and to agricultural lands that do not conform to the community plan. Impacts of this alignment will have greater potential impacts to high value aquatic and riparian forest resources and threatened and endangered species than an alignment that would follow I-15 (Attachments B, C, D, and E).

The Rainbow Community Planning Group believes the best alignment is on or under the I-15 freeway through the Rainbow community (Attachment A). The route we propose would enter a tunnel on the west side of I-15 just south of Highway 79 (Temecula Pkwy) in Temecula. The tunnel would transition to the east side of the corridor just north of the Old Highway 395 and 5th Street intersection and continue to follow the corridor until the area of the Old Highway 395 and Reche Road intersection. Here the tunnel would pass back under I-15 with the south end of the tunnel on the side of a hill on the west side of I-15. The route would continue to follow on the west side of I-15 in order to avoid the highly sensitive habitat areas on the east side of I-15 (Attachment B, C, D, and E) which are pre-approved take and preserve areas. The route would be elevated over the San Luis Rey River in order to minimize impacts on the environmentally sensitive areas in this

area. South of the San Luis Rey River the route would enter another tunnel just west of Old Highway 395 due to the I-15 grade. Grades along our proposed route should be less than 2% and the radius of the turns should have minimal impact upon potential speed of the train.

This route along the I-15 corridor would have the least impacts upon human and natural habitats in the Rainbow area while still providing the objectives of the High Speed Rail.

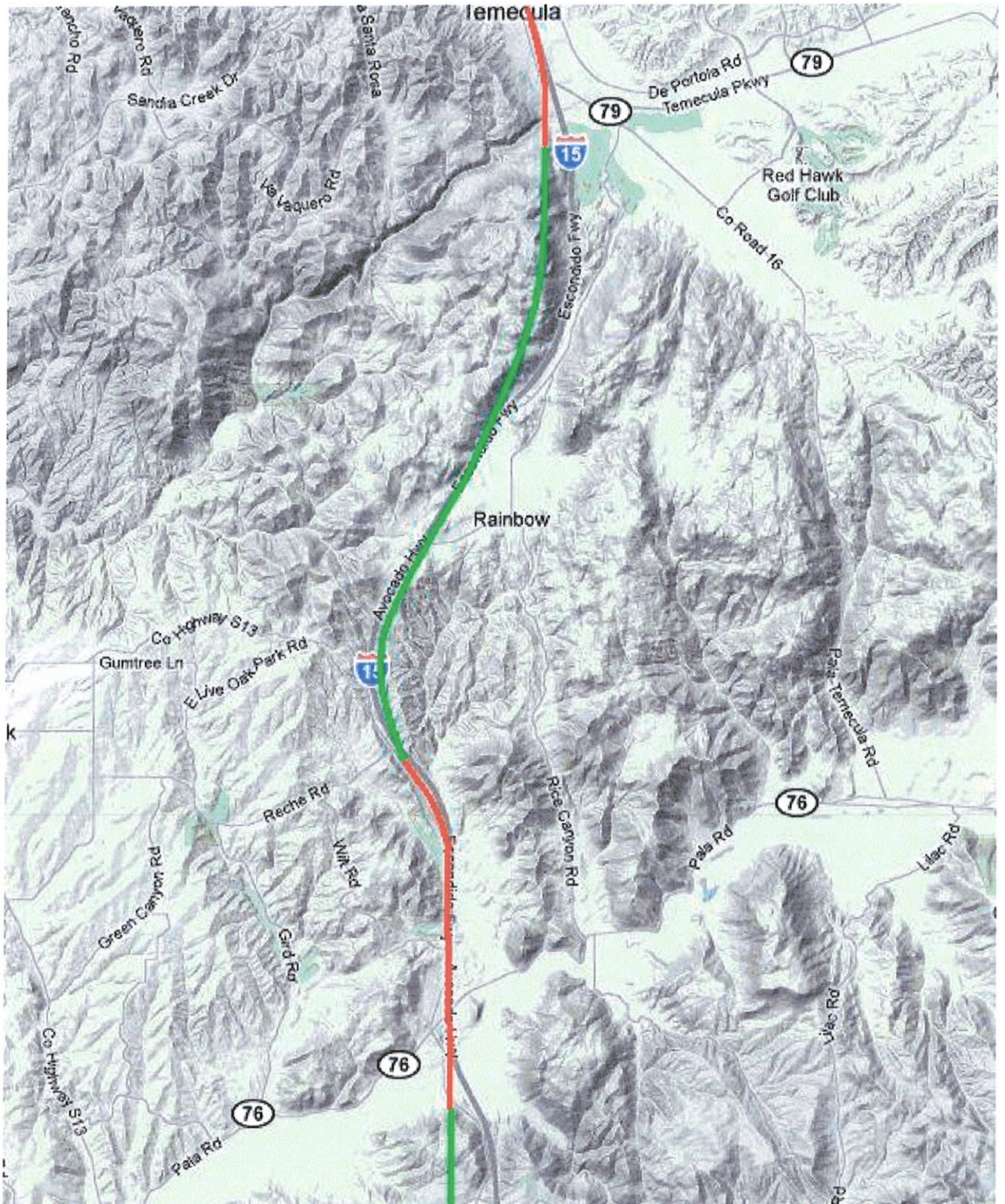
- The water table is very high in the Rainbow area. Changes to the water table will result in impacts upon trees and endangered and threatened species that utilize those forested areas. Changes to Rainbow Creek, ground settling, loss of drinking and irrigation water, and place a pressure for high density housing in Rainbow that is not compatible with the community plan. The route under or near I-15 most likely has the least impact.
- Effects the rail will have on property values in the community of Rainbow if the route diverts from the I-15 corridor.
- The potential impacts the route will have on the existing aqueducts, natural gas facility, and high power transmission lines along the proposed route through the community of Rainbow.

Representatives of the Rainbow Community Planning Group can meet with you for any clarifications needed. Please contact me at address or phone number below.

Cc: Michael J. Zdon HNTB
Leann Carmichael DPLU

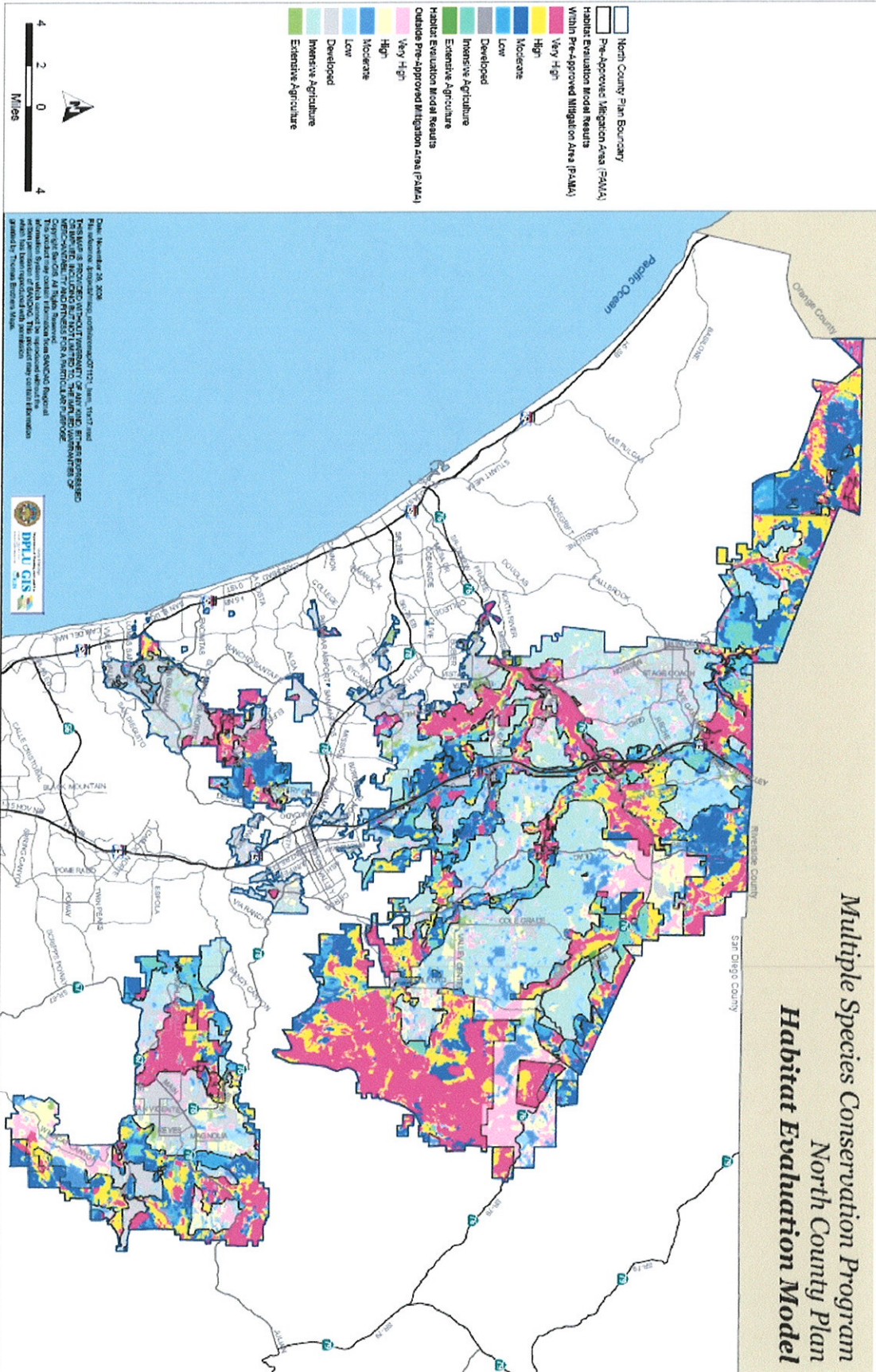
Curtis Nicolaisen
Seat 6 RCPG
1934 Rice Canyon Rd
Fallbrook, CA 92028
760.723.9247

Jim Anderson
Chair RCPG
7432 Rainbow Heights Rd.
Fallbrook, CA 92028
760 723 3939



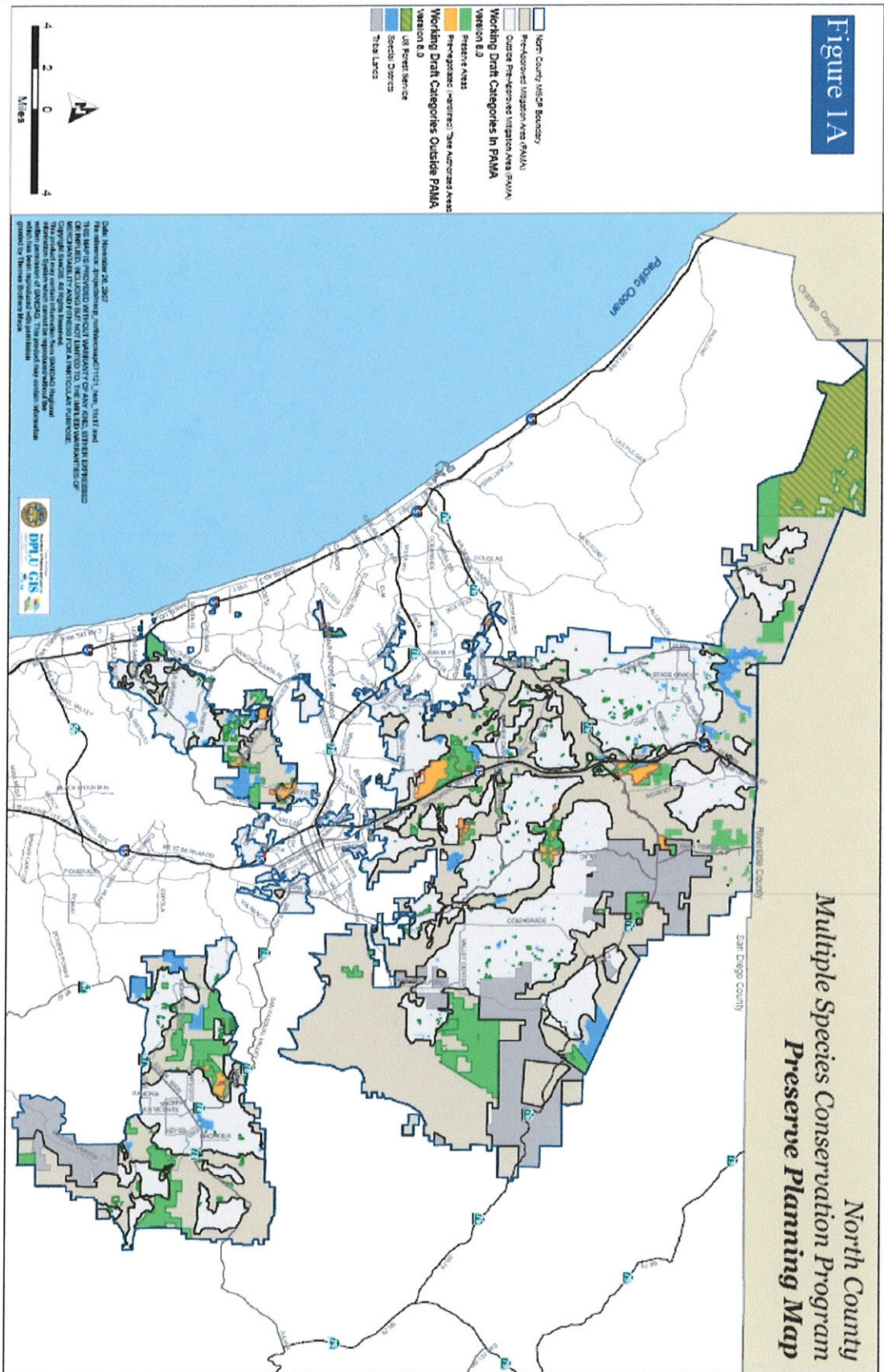
Attachment A

Multiple Species Conservation Program North County Plan Habitat Evaluation Model



Attachment C

Figure 1A



Attachment D

Kris Livingston

From: Ellen Willis [ebwetc@gmail.com]
Sent: Friday, November 20, 2009 6:15 AM
To: HSR Comments
Subject: LA-SD HST Section Via the Inland Empire
Attachments: NOPNOI Comments High Speed Rail2009.pdf; High Speed Rail EIREIS Comments_2004.pdf

please find the comments of the Rancho Bernardo Community Planning Board attached for your attention.....

*ellen willis
Chair, RBCPB*

fax/11/20/09

Rancho Bernardo Community Planning Board
www.RBPlanningBoard.com
15721 Bernardo Heights Parkway, Suite B-230
San Diego, CA 92128

November 19, 2009

Mr. Dan Leavitt, Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Comments Regarding the NOP/NOI for the LA-SD HST Section via the
Inland Empire of the California High-Speed Rail

Dear Mr. Leavitt:

The Rancho Bernardo Community Planning Board is an officially recognized community planning group in the City of San Diego. Our purpose is to advise the San Diego City Council, Planning Commission, and other decision-makers on development projects, general or community plan amendments, rezonings, and public facilities. We are particularly interested in projects that could adversely affect the residents of Rancho Bernardo.

The proposal to construct, operate, and maintain a high speed rail line through the Interstate 15 (I-15) corridor within the City of San Diego is of particular interest to the Planning Board because as currently proposed, the Los Angeles to San Diego segment of the high speed train will bisect the community of Rancho Bernardo. The proximity of the proposed alignment to residential development, the potential need to condemn private properties to accommodate the new line because the existing freeway right-of-way in this area is extremely limited, the impacts to existing transportation facilities, and the adverse effects related to noise, visual quality, aesthetics, and community character are all of concern to the residents of Rancho Bernardo.

On November 3, 2009 the Rancho Bernardo Community Planning Board held a special meeting to address the concerns identified above. Specifically addressed was the concern that all these issues were brought to your attention, per our letter of August 30th 2004, and none have been either resolved or responded to in the current documents. A copy of our previous correspondence is attached. The attendance of some of the representatives of neighboring community planning groups/boards is a clear indication that all of the communities that border the I-15 corridor, including San Pasqual, Rancho Penasquitos, Carmel Mountain, Sabre Springs, Mira Mesa, and Scripps Ranch, have similar issues.

In reviewing the Notice of Intent (NOI) that was published in the Federal Register and the Notice of Preparation (NOP) that was provided on your website, we are unable to find any details regarding the proposed project that were not already provided as part of the programmatic Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) prepared in 2004. The Board previously provided comments about the lack of site specific information and the need for adequate details to facilitate a comprehensive analysis of the potential adverse effects of this proposal on the residents of Rancho Bernardo. We continue to have those same concerns today.

Both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) provide guidance on when and how scoping should be conducted prior to preparing environmental documentation. The CEQA Guidelines state that a Notice of Preparation should provide sufficient information describing the project and the potential environmental effects to allow for a meaningful response. At a minimum, the NOP should provide adequate details about the project to enable the public to understand how the project could affect the environment. Section 1501.7(a) of the Council on Environmental Quality Regulations for Implementing NEPA states that as part of the scoping process “the lead agency shall determine the scope and the significant issues to be analyzed in depth in the environmental impact statement.” Section 1501.7(b) indicates that scoping meetings are often appropriate “when the impacts of a particular action are confined to specific sites;” and Section 1501.7(c) states that “an agency shall revise the determinations made under paragraphs (a) and (b) if substantial changes are made later in the proposed action, or if significant new circumstances or information arise which bear on the proposal or its impacts.”

Until an alignment within the I-15 corridor is proposed and adequate engineering plans are available to describe how the rail line will be constructed through the Rancho Bernardo area, it is impossible for the community to identify all of the relevant issues that could impact the community. Instead, we are forced to provide a laundry list of probable impacts that may or may not be relevant to the final proposal. **We therefore request that the public be given a formal opportunity to provide additional scoping comments once the 15 percent engineering drawings are available for review and comment.** In the meantime, the Board is providing a number of general concerns that will need to be expanded upon when more specific project details are made available for review. These concerns are outlined below.

Project Alternatives

The Council on Environmental Quality describes the alternatives section as the heart of the EIS. As such, the alternatives presented in an EIS should be reasonable and implementable, must be given equal treatment, and must provide clear choices for the decisionmaker. Similarly, the CEQA Guidelines in Section 15126.6 state that an EIR shall consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives is required to focus on alternatives to the project design or its location which are

capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Alternative Alignment. We believe that the programmatic EIR/EIS did not provide an adequate evaluation of a coastal route alternative and therefore this alternative should be considered again in the current draft EIR/EIS. In addition, even if the coastal route is ultimately identified as an alternative that was considered but dismissed from further consideration, the draft EIR/EIS should include a comparison of the environmental and fiscal costs and benefits of a coastal alignment and an inland alignment that follows the I-15 corridor.

Alternative Designs. The draft EIR/EIS should evaluate a variety of construction options, including: 1) maximizing the length of rail line that is undergrounded in areas where a) sensitive noise receptors occur in proximity to the alignment and/or b) elevated lines would adversely affect the visual character of the community, such as the area between Lake Hodges and Los Penasquitos Canyon; 2) minimizing the need for condemnation of private lands by incorporating the alignment into the existing right-of-way; and 3) minimizing the length and height of elevated sections of the line where significant adverse impacts to visual quality could result, such as between Green Valley Creek and Bernardo Center Drive. Additional design options may also be apparent once specific details regarding the proposed alignment are provided for review.

Project Description

Section 15124 of the CEQA Guidelines requires an EIR to describe a proposed project in a way that will be meaningful to the public and to the decisionmakers. Normally, a preliminary engineering design of 30 percent is provided before a draft EIR is developed to evaluate potential effects. The NOP/NOI indicates that only a 15 percent design level will be provided for this draft EIR/EIS. It is imperative that the project description provided in the draft EIR/EIS be of sufficient detail to allow the affected communities and the decisionmakers to grasp the magnitude of the impacts that could result from the implementation of this project. Additionally, the design details must be specific enough to ensure the preparation of a meaningful and effective Mitigation, Monitoring, and Reporting Program, as required by CEQA.

Existing Conditions/Project Setting

The discussion of existing conditions in the programmatic EIR/EIS was far too generic and did not provide adequate information about the project setting and existing community character to allow for a comprehensive analysis of environmental consequences, even at the programmatic level. The proposed project-specific EIR/EIS will require an extensive review and detailed description of the existing conditions within the project's area of potential effect. The affected area will be different depending upon the topic being addressed. For instance, water quality impacts must consider the east-west watersheds, such as the San Dieguito River and Los Penasquitos Canyon watersheds, that the proposed alignment will cross. To

evaluate the impacts of the project on visual quality will require the identification of specific viewsheds. This is particularly important in Rancho Bernardo, where most of the residents in the eastern portion of the community have views of the I-15 corridor and the undeveloped hillside of 4S Ranch to the west, and the residents in the western portion of the community have views across the freeway of the mountains to the east. The transportation facilities and general traffic circulation within each community along the I-15 corridor varies depending upon the size and location of the roads that feed onto the freeway and the mix of uses within the community. This information will be important in evaluating impacts to traffic circulation during project construction, as well as the long term effects of the rail line on existing transportation features such as carpool lanes, transit stations, and park and ride facilities.

Other important information that must be included in the existing conditions discussion is the proximity of residential development and public parks to the proposed rail line, as well as the significant natural open space areas, such as the Lake Hodges/San Pasqual Valley area, Green Valley Creek, and Los Penasquitos Canyon, all of which would have to be crossed by the proposed rail line.

Environmental Impact Analysis

Construction Related Impacts. The residents of Rancho Bernardo have endured years of construction on the I-15 corridor. This ongoing construction affects air quality; increases noise, particularly at night; causes traffic congestion on the freeway and surface street congestion during freeway closures; and results in the replacement of green vegetation with concrete. Construction of a new rail line within the freeway corridor will result in similar impacts, all of which should be addressed in the draft EIR/EIS. The potential for full freeway closures should be disclosed, and adequate mitigation measures should be included to reduce air quality, noise, and traffic congestion impacts to below a level of significance.

Impacts to Existing Transportation Facilities. The portion of the I-15 corridor that extends from State Route 78 in Escondido to State Route 163 in San Diego is currently being upgraded to accommodate carpool and high occupancy vehicle traffic. Special elevated access ramps are being constructed to provide buses with dedicated access to transit stations; existing bridges are being reconstructed, some for the second time, to accommodate the expanded carpool lanes, and much of the existing right-of-way within this portion of the I-15 corridor is now covered in concrete with little if any room for additional facilities.

The draft EIR/EIS should describe how these new facilities could be impacted by the rail line and which facilities would have to be removed, relocated, or retrofitted. According to SANDAG, more than \$280 million dollars of the funds being used to implement the current transportation improvements along the I-15 corridor are Transnet funds, funds that are generated by the residents of San Diego County through the collection of a one-half cent sales tax. The draft EIR/EIS should include a detailed evaluation of how the construction and

operation of the proposed rail line could impact the Transnet funded facilities. Adequate mitigation including reimbursement for any loss of facilities funded with Transnet dollars should be address in the document.

Impacts to Visual Quality, Aesthetics, and Community Character. Factors such as the height of proposed structures, design, color, visibility and placement within the viewshed, and proximity to other structures should all be considered in evaluating the impacts of the project on visual quality, aesthetics, and community character. The impacts during construction may be different than those occurring after project completion. The document should include photo simulations that illustrate the visibility of the project features from various parts of the community and depict the effects these facilities could have on existing open space areas such as Lake Hodges, Battle Mountain, and Los Penasquitos Canyon.

Requirements for night lighting should also be addressed. Rancho Bernardo has long supported the protection of dark skies to facilitate activities at the Palomar Observatory. The need for night lighting associated with the proposed rail line and the potential effects of this lighting on community character should be fully addressed.

Increases in Ambient Noise Levels. The document must describe the anticipated noise impacts to sensitive receptors along the proposed alignment, particularly in areas where the system would be elevated. A comprehensive noise analysis should be conducted that takes into consideration the existing elevations of sensitive receptors and the proximity of the line to these receptors, as well as the existing and future noise levels generated from within the I-15 corridor. Noise levels at night will have a greater impact on adjacent residents; therefore, noise impacts that are averaged over a 24 hour period will not provide an adequate evaluation of potential noise impacts to adjacent residential areas.

The cumulative effect of all the noise generated within the I-15 corridor must be considered, as should any discernable differences in the type of noise generated by high speed trains, such as differences in pitch that could impact residents differently than standard noise generated by tires on the roadway. The draft EIR/EIS will also have to provide detailed information regarding how noise impacts would be mitigated, particularly where elevated tracks would be too high to construct sound walls or other noise reducing structures.

The draft EIR/EIS, as well as the Mitigation, Monitoring, and Reporting Program, must describe how noise mitigation, including funding and implementation, will be assured. Sighting an inability to fund needed noise mitigation, as was done by Caltrans for the I-15 improvements, is not acceptable. Without adequate assurances, the project's noise impacts must be identified as significant and unmitigated.

Vibration

Impacts to adjacent properties related to vibration during construction, as well as during project operation, should also be addressed.

Air Quality

In addition to standard direct, indirect, and cumulative air quality analysis, the document should consider the effects that existing wind conditions within the community will have on the creation and distribution of airborne particulate matter, including dust. This analysis is particularly important for construction related activities, although the cumulative effect of dust generation as a result of project operation along with dust generated from freeway operations must also be evaluated.

Soil Related Impacts. There are a number of ancient landslides and slide prone clay formations along the I-15 corridor, particularly at the southern end of Rancho Bernardo. The draft EIR/EIS should address the potential effects of existing soil problems on the proposed alignment. An evaluation of the potential effect of increased vibration in areas with known soil problems should also be included.

Cumulative Effects Analysis. The cumulative effects of this project combined with past, current, and reasonably foreseeable projects along the I-15 corridor must also be evaluated for all of the issues outlined above, as well as any other issues that are identified during this or future scoping processes.

Mitigation Measures

The draft EIR/EIS should include a draft Mitigation, Monitoring, and Reporting Program that describes the measures that will be incorporated into the project to reduce impacts to below a level of significance and establishes responsibility for each measure in order to ensure that all of the proposed mitigation will be implemented.

Provided above is our initial list of potential effects that we believe must be addressed in the draft EIR/EIS. These comments are based on the limited information available regarding the ultimate design of the rail line through our community. As stated previously, we request the opportunity to provide additional comments, prior to the release of the draft environmental document, when site specific project details are available for our area. We appreciate this opportunity to provide comments and request that we be contacted as new information about the project is made available.

Sincerely,

Ellen Willis, Chair
Rancho Bernardo Community Planning Board

cc: Mayor Jerry Sanders, City of San Diego
San Diego City Councilman Carl DeMaio
San Diego County Supervisor Pam Slater-Price
State Assemblyman Nathan Fletcher, 75th District
State Senator Dennis Hollingsworth, 36th District
Congressman Brian Bilbray, 50th District
U.S. Senator Barbara Boxer
U.S. Senator Dianne Feinstein
SANDAG, Regional Transportation Planning
Community Planners Committee (CPC)
San Pasqual/Lake Hodges Planning Group
Rancho Penasquitos Planning Board
Carmel Mountain Ranch Planning Group
Sabre Springs Planning Group
Mira Mesa Planning Group
Scripps Ranch Planning Group

Attachment: Letter Regarding the Previous Programmatic EIR/EIS for the Project from
the Rancho Bernardo Community Planning Board, dated August 30, 2004

**Rancho Bernardo Community Planning Board
15721 Bernardo Heights Parkway, Suite B-230
San Diego, CA 92128**

August 30, 2004

Attn: California High-Speed Train
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Comments Regarding the Adequacy of the draft Program EIR/EIS for the Proposed California High-Speed Rail System

Dear Mr. Leavitt and Mr. Valenstein:

The Rancho Bernardo Community Planning Board, a City of San Diego recognized community planning group, has reviewed the Program EIR/EIS for the Proposed California High-Speed Rail System and finds that the draft, as currently prepared, does not adequately address the environmental consequences of the proposed project, nor does it address a reasonable range of project alternatives. In addition, the project description and impact analysis do not provide adequate information to allow the public or the decisionmakers to fully comprehend the scope of the proposal. We believe that the document, as currently prepared, is seriously flawed, both in its evaluation of impacts and in its discussion of feasible mitigation. We therefore request that the document be revised to incorporate an adequate analysis of the issues presented below.

Alternatives

The Council on Environmental Quality NEPA Regulations describe the alternatives section as the heart of the EIS. As such, the alternatives presented in an EIS should be reasonable and implementable, must be given equal treatment, and must provide clear choices for the decisionmaker.

Similarly, the CEQA Guidelines in Section 15126.6 state that an EIR shall consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

This program EIR/EIS fails to consider an adequate range of alternatives. For a project of this magnitude, there are clearly additional alternatives that must be evaluated, including alternative routes, alternative technologies, and alternative designs for achieving the purpose and needs of the project. The Rancho Bernardo Community Planning Board requests that the discussion of alternatives include

an alternative system design in which the high-speed rail system would only be constructed to the edges of the State's major metropolitan areas, rather than extending through them. Under this alternative, passengers could still move quickly from one city to another, but rather than traveling directly to the center of the city, the trains would stop at an appropriate transit center at the outskirts of the city, allowing passengers to travel to their final destination via a variety of existing or new, less costly feeder transit lines, including trolleys, buses, and other existing rail lines. The implementation of such an alternative would substantially reduce the significant, unmitigated adverse effects of the proposed project on community character and visual quality and would avoid additional noise, vibration, and traffic congestion impacts within existing communities.

A specific example of why such an alternative should be considered is that fact that under the current proposal the high-speed rail line would be constructed all the way into the center of the City of San Diego. However, the construction of the line from Escondido south into San Diego would simply replicate SANDAG's current Transit First plans for mass transit in the I-15 corridor. An alternative should be developed that would tie the proposed high-speed rail project into existing and planned transit systems, rather than trying to overlay a redundant service on top of currently planned local projects. If travelers were to take the high-speed train to the Bay Area, wouldn't they transfer from the larger system onto BART when they reached one of the BART transfer stations? Why would this project need to duplicate existing opportunities on the BART? The same is true for the I-15 corridor into the City of San Diego. Wouldn't it be more reasonable, (with less cost and fewer impacts), to take the high-speed rail system south into the Escondido Transit Center, and at that point transfer onto SANDAG's Transit First system, which would provide more convenient access to communities along I-15 corridor and into the center of the city of San Diego? As stated above, we believe that such an alternative would not only be more cost effective, but it could achieve the same project objectives with far fewer significant, adverse impacts to existing communities and the environment.

Project Description

Section 15124 of the CEQA Guidelines requires an EIR to describe a proposed project in a way that will be meaningful to the public and to the decisionmakers. Unfortunately, this document is so general that it is not possible for the affected community members or the decisionmakers to grasp the magnitude of the impacts that could result from the implementation of this project. Although this is a program EIR/EIS that covers the entire state, significantly more effort should have been made in describing how the system would be implemented within each community. It is apparent that little thought was given regarding how this facility would be constructed within various communities. For instance, within the portion of the I-15 corridor that extends from Lake Hodges to Mira Mesa in San Diego County, no right-of-way will be available for new facilities once the current freeway improvements are completed. That will require the development of an elevated rail line through this entire section of San Diego. Specifics regarding the height and design of the structures, how views could be altered or blocked, how the required construction would be accommodated within already overcrowded transportation corridors, and the effects of construction on existing traffic circulation are not provided at an appropriate level of detail to afford meaningful consideration of environmental consequences.

Existing Conditions/Project Setting

The discussion of existing conditions is extremely generic in nature and does not provide adequate information to allow for a comprehensive analysis of environmental consequences, even at the programmatic level. This is particularly true with respect to aesthetics and visual resources, noise and vibration, traffic and circulation, and biological resources. Where descriptions are provided for the segment between March Air Base and Mira Mesa, they are generally inaccurate. For instance, the local street system along the I-15 corridor in northern San Diego is described as being constructed in a grid pattern. Due to the existing topography in northern San Diego, which consists of a series of canyons and mesas, no such grid pattern exists. On the contrary, relatively few parallel arterial roadways exist in this area, making traffic congestion on our local freeways that much more significant.

The document also fails to describe the proximity of residential development to the existing freeway corridor, the existing visual amenities within the corridor that could be impacted, and the significant open space areas, such as the Lake Hodges/San Pasqual Valley area and Los Penasquitos Canyon, that would have to be crossed by an elevated rail line.

Descriptions of other existing and planned transit projects in the vicinity of the proposed project have been omitted and an explanation of how the high-speed rail system would interact with these other transit programs should be provided.

Environmental Consequences

Once again, the anticipated impacts of the project are generic in nature and do not adequately address the magnitude of the impacts that could occur along various portions of the alignment. The CEQA Guidelines state that a program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. The content of this document is neither specific nor comprehensive, and as a result, the document should be revised to provide a meaningful description of potential project impacts and associated mitigation measures.

Specifically, the discussion of aesthetics and visual resources fails to take into consideration the surrounding topography when addressing the potential effects of an elevated rail through a community. Little if any analysis of impacts to existing community character is presented, yet the impacts to a community such as Rancho Bernardo would be significant due to the high visibility of an elevated rail line passing through the center of the community. If the rail line were to be elevated between Rancho Bernardo Road and Bernardo Center Drive, it would be visible from a substantial portion of the community and the elevation would be so much higher than the surrounding area that it would not be possible to screen the facility. Because of these conditions, the draft EIR/EIS should have determined that in this portion of the corridor, impacts related to community character and visual quality would be significant and unmitigable.

As currently prepared, the document fails to disclose the anticipated noise impacts to sensitive receptors along the proposed alignment, particularly in areas where the system would be elevated. The document should clearly describe the incremental noise impacts generated by 120+ mph trains, traveling in both directions, at a frequency of every ten minutes in such locations. The current analysis seems to assume that because noise levels are already high along the I-15 corridor that additional noise can be generated within the corridor without creating new impacts. This is clearly not the case, particularly where the line would be elevated.

It is likely that there are numerous locations along the route where elevating the line would actually place the trains closer to sensitive receptors than they would be if they were constructed at grade. This is clearly the case along the I-15 corridor between Lake Hodges and Mira Mesa. For instance, within the I-15 corridor in the vicinity of Rancho Bernardo, elevating the rail line would place the train at elevations similar to the adjacent homes, which are situated above the existing freeway. The draft EIR/EIS implies that all such noise impacts can be mitigated. How would noise impacts be realistically mitigated in situations such as those in I-15 corridor where the elevations are too high to construct sound walls or other noise reducing structures?

A comprehensive noise analysis should be conducted that takes into consideration the existing elevations of sensitive receptors and the proximity of the line to these receptors, as well as the existing and future noise levels generated from within the I-15 corridor. Further, the cumulative effects of all of the uses within the corridor on adjacent sensitive receptors should be considered.

Too few visual simulation overlays have been provided in the draft EIR/EIS. As a result, none of the examples are representative of the current or planned conditions within the I-15 corridor between Lake Hodges and Mira Mesa. The photographs that are provided give the impression that there is sufficient space to easily insert the high-speed rail lines into the existing freeway right-of-way. These photographs are misleading and do not accurately depict the effects of the project on the surrounding area. The document should include photo simulations that accurately describe how the rail system would realistically fit into the I-15 corridor once the Managed Lanes project is completed.

The potential effects of existing soil problems along the corridor are also inadequately addressed. What could be the effects of increased vibration in areas with known soil problems? For example, in Rancho Bernardo there are ancient landslides present along both sides of I-15.

Mitigation Measures

The discussion of mitigation is extremely generic, with no discussion of how effective specific mitigation measures would be in specific situations. The EIR/EIS should be revised to address specific conditions that would be experienced along the route and incorporate realistic and feasible mitigation measures that would reduce anticipated impacts to below a level of significance. The document should also clearly identify those significant impacts that cannot be mitigated. For example, the visual impacts of constructing an elevated line between Rancho Bernardo Road and Bernardo Center Drive in Rancho Bernardo would be significant and unmitigable.

Project Feasibility

No discussion is provided regarding how rail lines can be accommodate within the footprint of existing transportation corridors. There are steep grades on I-15 through Rancho Bernardo and numerous overpasses and on and off ramps. Can the rail line be elevated above all of these structures? What would that height be? These are only some of the questions that have not been addressed in the draft EIR/EIS with respect to the feasibility. Another important question is whether the mitigation measures suggested in the document are actually feasible and if so, would they be effective in reducing impacts to below a level of significance.

The Rancho Bernardo Community Planning Board believes that there are feasible alternatives to the current proposal that have not been adequately addressed. Alternative designs, such as the one proposed earlier in this letter, would significantly reduce the adverse affects of the project on those communities located along the I-15 corridor in the San Diego region. We respectfully request that additional alternatives be developed and incorporated into a revised draft EIR/EIS. In addition, we request that a more comprehensive analysis of potential impacts to completed in order to provide the public and the decisionmakers with a complete understanding of the consequences to existing communities and the natural environmental of implementing the proposed project.

We appreciate this opportunity to provide comments and request that we be kept informed of future actions associated with this proposal.

Sincerely,

Original signed on 8/30/04

Victoria Touchstone, Corresponding Secretary
for Jim Denton, Planning Board Chairman

cc: Brian Maienschein, San Diego City Council, District 5
Assemblyman George Plescia
State Capitol Building, Room 4009 Sacramento, CA 94249-0075;
San Diego District Office, 9909 Mira Mesa Blvd., Suite 130, San Diego, CA 92131

Sabre Springs
Sabre Springs
Planning Group

November 19, 2009

Mr. Dan Leavitt
ATTN: LA-SD HST Project EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814

**Subject: Comments Regarding the NOP/NOI for the LA-SD HST Section via the
Inland Empire**

Dear Mr. Leavitt:

The Sabre Springs Planning Group (SSPG) is an officially recognized community planning group in the City of San Diego. Our purpose is to advise the San Diego City Council, Planning Commission, and other decision-makers on development projects, general or community plan amendments, rezonings, and public facilities. We are particularly interested in projects that could adversely affect the residents of Sabre Springs. The proposal to construct, operate, and maintain a high speed rail line through the Interstate 15 (I-15) corridor within the City of San Diego is of particular interest to the SSPG because as currently proposed, the Los Angeles to San Diego segment of the high speed train will traverse the western edge of the Sabre Springs community. The proximity of the proposed alignment to residential development, the potential need to condemn private properties to accommodate the new line because the existing freeway right-of-way in this area is extremely limited, the impacts to existing transportation facilities, and the adverse effects related to noise, visual quality, aesthetics, and community character are all of concern not only for Sabre Springs, but also for the other planned communities that border the I-15 corridor to the north and south including Rancho Bernardo, Rancho Penasquitos, Carmel Mountain Ranch, Mira Mesa, and Scripps Ranch.

In reviewing the Notice of Intent (NOI) that was published in the Federal Register and the Notice of Preparation (NOP) that was provided on your website, we are unable to find any details regarding the proposed project that were not already provided as part of the programmatic Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) prepared in 2004. The SSPG previously did not provide comments about programmatic EIR/EIS.

Both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) provide guidance on when and how scoping should be conducted prior to preparing environmental documentation. The CEQA Guidelines state that a Notice of Preparation should provide sufficient information describing the project and the potential

environmental effects to allow for a meaningful response. At a minimum, the NOP should provide adequate details about the project to enable the public to understand how the project could affect the environment. Section 1501.7(a) of the Council on Environmental Quality Regulations for Implementing NEPA states that as part of the scoping process “the lead agency shall determine the scope and the significant issues to be analyzed in depth in the environmental impact statement.” Section 1501.7(b) indicates that scoping meetings are often appropriate “when the impacts of a particular action are confined to specific sites;” and Section 1501.7(c) states that “an agency shall revise the determinations made under paragraphs (a) and (b) if substantial changes are made later in the proposed action, or if significant new circumstances or information arise which bear on the proposal or its impacts.”

Until an alignment within the I-15 corridor is proposed and adequate engineering plans are available to describe how the rail line will be constructed next to Sabre Springs, it is impossible for the community to identify all of the relevant issues that could impact the community. Instead, we are forced to provide a laundry list of probable impacts that may or may not be relevant to the final proposal. **We therefore request that the public be given a formal opportunity to provide additional scoping comments once the 15 percent engineering drawings are available for review and comment.** In the meantime, the SSPG is providing a number of general concerns that will need to be expanded upon when more specific project details are made available for review. These concerns are outlined below.

Project Alternatives

The Council on Environmental Quality describes the alternatives section as the heart of the EIS. As such, the alternatives presented in an EIS should be reasonable and implementable, must be given equal treatment, and must provide clear choices for the decisionmaker. Similarly, the CEQA Guidelines in Section 15126.6 state that an EIR shall consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives is required to focus on alternatives to the project design or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Alternative Alignment. We believe that the programmatic EIR/EIS did not provide an adequate evaluation of a coastal route alternative and therefore this alternative should be considered again in the current draft EIR/EIS. In addition, even if the coastal route is ultimately identified as an alternative that was considered but dismissed from further consideration, the draft EIR/EIS should include a comparison of the environmental and fiscal costs and benefits of a coastal alignment and an inland alignment that follows the I-15 corridor.

Alternative Designs. The draft EIR/EIS should evaluate a variety of construction options, including: a) maximizing the length of rail line that is undergrounded in areas where sensitive noise receptors occur in proximity to the alignment and/or elevated lines would adversely affect the visual character of the community, such as the area between Lake Hodges and Los

Penasquitos Canyon; b) minimizing the need for condemnation of private lands by incorporating the alignment into the existing right-of-way; and c) minimizing the length and height of elevated sections of the line where significant adverse impacts to visual quality could result, such as between SR-56 and Poway Road. Additional design options may also be apparent once details regarding the proposed alignment are provided for review.

Project Description

Section 15124 of the CEQA Guidelines requires an EIR to describe a proposed project in a way that will be meaningful to the public and to the decisionmakers. Normally, a preliminary engineering design of 30 percent is provided before a draft EIR is developed to evaluate potential effects. The NOP/NOI indicates that only a 15 percent design level will be provided for this draft EIR/EIS. It is imperative that the project description provided in the draft EIR/EIS be of sufficient detail to allow the affected communities and the decisionmakers to grasp the magnitude of the impacts that could result from the implementation of this project. Additionally, the design details must be specific enough to ensure the preparation of a meaningful and effective Mitigation, Monitoring, and Reporting Program, as required by CEQA.

Existing Conditions/Project Setting

The discussion of existing conditions in the programmatic EIR/EIS was far too generic and did not provide adequate information about the project setting and existing community character to allow for a comprehensive analysis of environmental consequences, even at the programmatic level. The proposed project-specific EIR/EIS will require an extensive review and detailed description of the existing conditions within the project's area of potential effect. The affected area will be different depending upon the topic being addressed. For instance, water quality impacts must consider the east-west watersheds, such as the San Dieguito River and Los Penasquitos Canyon watersheds, that the proposed alignment will cross. To evaluate the impacts of the project on visual quality will require the identification of specific viewsheds. This is particularly important in Sabre Springs, where much of the area in the western portion of the community has views of the I-15 corridor. The transportation facilities and general traffic circulation within each community along the I-15 corridor varies depending upon the size and location of the roads that feed onto the freeway and the mix of uses within the community. This information will be important in evaluating impacts to traffic circulation during project construction, as well as the long term effects of the rail line on existing transportation features such as carpool lanes, transit stations, and park and ride facilities.

Other important information that must be included in the existing conditions discussion is the proximity of residential development and public parks to the proposed rail line, as well as the significant natural open space areas, such as the Lake Hodges/San Pasqual Valley area, Green Valley Creek, and Los Penasquitos Canyon, all of which would have to be crossed by the proposed rail line.

Environmental Impact Analysis

Construction Related Impacts. The residents of Sabre Springs have endured years of construction on the I-15 corridor. This ongoing construction affects air quality; increases

noise, particularly at night; causes traffic congestion on the freeway and surface street congestion during freeway closures; and results in the replacement of green vegetation with concrete. Construction of a new rail line within the freeway corridor will result in similar impacts, all of which should be addressed in the draft EIR/EIS. The potential for full freeway closures, particularly at night should be disclosed, and adequate mitigation measures should be included to reduce air quality, noise, and traffic congestion impacts to below a level of significance.

Impacts to Existing Transportation Facilities. The portion of the I-15 corridor that extends from State Route 78 in Escondido to State Route 163 in San Diego is currently being upgraded to accommodate carpool and high occupancy vehicle traffic. Special elevated access ramps are being constructed to provide buses with dedicated access to transit stations; existing bridges are being reconstructed, some for the second time, to accommodate the expanded carpool lanes, and much of the existing right-of-way within this portion of the I-15 corridor is now covered in concrete with little if any room for additional facilities.

The draft EIR/EIS should describe how these new facilities could be impacted by rail line construction. Which facilities would have to be removed, relocated, or retrofitted? According to SANDAG, more than \$280 million dollars of the funds being used to implement the current transportation improvements along the I-15 corridor are Transnet funds, funds that are generated by the residents of San Diego County through the collection of a one-half cent sales tax. The draft EIR/EIS should include a detailed evaluation of how the construction and operation of the proposed rail line could impact the Transnet funded facilities. Adequate mitigation including reimbursement for any loss of facilities funded with Transnet dollars should be address in the document.

Impacts to Visual Quality, Aesthetics, and Community Character. Factors such as the height of proposed structures, design, color, visibility and placement within the viewshed, and proximity to other structures should all be considered in evaluating the impacts of the project on visual quality aesthetics, and community character. The impacts during construction may be different than those occurring after project completion. The document should include photo simulations that illustrate the visibility of facility from various parts of the community and the effects the facilities could have on existing open space areas such as Lake Hodges, Battle Mountain, Van Dam Peak, and Los Penasquitos Canyon.

Requirements for night lighting should also be addressed. The need for and potential effects, if any, of night lighting associated with the proposed rail line should also be addressed.

Increases in Ambient Noise Levels. The document must describe the anticipated noise impacts to sensitive receptors, such as schools, homes, and businesses, along the proposed alignment, particularly in areas where the system would be elevated. A comprehensive noise analysis should be conducted that takes into consideration the existing elevations of sensitive receptors and the proximity of the line to these receptors, as well as the existing and future noise levels generated from within the I-15 corridor. Noise levels at night will have a greater impact on adjacent residents; therefore, noise impacts that are averaged over a 24 hour period will not provide an adequate evaluation of potential noise impacts to adjacent residential areas.

The cumulative effect of all the noise generated within the I-15 corridor must be considered, as should any discernable differences in the type of noise generated by high speed trains, such as differences in pitch that could impact residents differently than standard noise generated by tires on the roadway. The draft EIR/EIS will also have to provide detailed information regarding how noise impacts would be mitigated, particularly where elevated tracks would be too high to construct sound walls or other noise reducing structures.

Impacts related to vibration during construction, as well as during project operation, should also be addressed.

Soil Related Impacts. There are a number of ancient landslides and slide prone clay formations along the I-15 corridor. The draft EIR/EIS should address the potential effects of existing soil problems on the proposed alignment. An evaluation of the potential effect of increased vibration in areas with known soil problems should also be included.

Mitigation Measures

The draft EIR/EIS should include a draft Mitigation, Monitoring, and Reporting Program that describes the measures that will be incorporated into the project to reduce impacts to below a level of significance and establishes responsibility for each measure in order to ensure that all of the proposed mitigation will be implemented.

Provided above is our initial list of potential effects that we believe must be addressed in the draft EIR/EIS. These comments are based on the limited information available regarding the ultimate design of the rail line through our community. As stated previously, we request the opportunity to provide additional comments, prior to the release of the draft environmental document, when site specific project details are available for our area. We appreciate this opportunity to provide comments and request that we be contacted as new information about the project is made available.

Sincerely,



Craig Balben, Chair
Sabre Springs Planning Group

cc: San Diego City Councilman Carl DeMaio
San Diego County Supervisor Pam Slater-Price
State Assemblyman Nathan Fletcher, 75th District
State Senator Dennis Hollingsworth, 36th District
Congressman Duncan D. Hunter, 52nd District
U.S. Senator Barbara Boxer
U.S. Senator Dianne Feinstein
SANDAG, Regional Transportation Planning

**UNIVERSITY COMMUNITY PLANNING GROUP
4660 La Jolla Village Drive, Ste 1080
San Diego, California 92122**

November 17, 2009

**Mr. Dan Leavitt
Deputy Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814**

**Re: Los Angeles to San Diego Segment Scoping Comments
HST Project EIR/EIS**

Dear Mr. Leavitt:

The University Community Planning Group (UCPG) met on November 10, 2009 to review the preliminary lines on maps and a presentation by Mr. Mike Zdon, Project Manager for the Los Angeles to San Diego segment of the California HSR. We had over 155 persons attend the meeting and several comments were made during the meeting. The following are a summary of our comments and our request that you study these issues in the EIR. I have tried to list them in their order of importance by the community.

- Issue # 1 Study the I-15 Alignment from University City to Mission Valley to the Qualcomm Transit Center as a PREFERRED ALTERNATIVE in the EIR. There exists a Trolley Station and a connection to downtown San Diego. This will include the ability to serve a large population in the eastern area of San Diego County and potentially connect to Mexico and Rodriguez International Airport. The previous program level EIR in 2005 showed this route has many advantages.**
- Issue # 2 Avoid Rose Canyon Open Space Park and the habitat, MSCP land, wildlife corridors and substantial biological impacts. The Rose Canyon Park lands are used by thousands of children from the 5 schools within walking distance and 2 schools within a mile of the canyon. Multiple species of endangered plant and animal life make their home in the Rose Canyon Park. A detailed study and analysis should be made of any potential impacts including grading, shading, displacing of habitat and wetland impacts.**

- Issue #3** No Tunnels that impact University City. What is the feasibility? What is the Cost? What are the construction impacts? Soil Stability? Where does the tunnel potentially start and end? Is there an underground station? What is its size? How many Tracts, side by side? Venting for air circulation? Safety Precautions?
- Issue # 4** Please study the impacts of the Rose Canyon Fault and other Minor faults in the area. Please study the impacts of the San Andreas fault. What type of construction to secure the HSR? What is the potential for an earthquake? What kind of damage could occur? In a tunnel or above grade? Geology?
- Issue # 5** What will the Noise Impacts be? How many decibels? How To mitigate? Glazing? Walls? Insulation? Air conditioning?
- Issue #6** Will there be Vibration impacts? 110 to 134 trains per day. Will residential homes be affected?
- Issue # 7** Visual Effects. To commercial properties affecting office Views? Residential views? Overhead wires, catenary poles, Fencing? Retaining walls? Chain link fences?
- Issue #8** Parking Study to ascertain additional need for parking. UTC station. Study increased traffic, how to mitigate? Potential increased density around station? Does the Community Plan/General Plan need to be updated?
- Issue #9** If a storage and maintenance station in the University Community area is proposed – how large, how many trains Will be stored, maintained, repaired? Impacts? Visual, Hazardous Materials, screening, noise et cetera.

In general, we believe that we aren't a destination that links an airport, trolley, buses, shuttles, trains and other transit providers like Ontario Airport and other transit centers that already have transit centers and connections of other transit. We are an urban area with hospitals, a university, 7 schools, bio-tech companies, high tech companies, shopping centers and many employers and residents who live and work in compatible mixed use projects. We are also the home of one of the finest Marine Corps bases in the world. We have a delicate balance of land uses from the Coastal Commission areas west of I-5 to MCAS to delicate habitat areas and we wish to protect the balance that currently exists. We are a very active and vibrant community that needs to complete the current public and private projects that are on the drawing board before increasing any densities.

Please study the issues stated above in the EIR/EIS for the High Speed Rail alignments from Los Angeles to San Diego.

Sincerely,

UNIVERSITY COMMUNITY PLANNING GROUP

A handwritten signature in cursive script, reading "Janay Kruger". The signature is written in black ink and is positioned over the printed name and title.

**Janay Kruger
Chair**

**Enclosures: 8 comment letters from community
Draft Minutes from the UCPG November 10, 2009 Meeting**

janay kruger

From: "Deborah Knight" <dknight3@san.rr.com>
To: "SL Forsburg" <slforsburg@gmail.com>; "Lisa Churchill" <lcr@salk.edu>; "Russ Craig" <russc@pacbell.net>; "Alison Barton" <anewkirk_us@yahoo.com>; "Sam Greening" <sgreening@mac.com>; "Petr Krysl" <pkrysl@ucsd.edu>; "Janay Kruger" <janaykruger@msn.com>
Sent: Monday, November 09, 2009 8:55 PM
Subject: Statement by John Lee Evans, School Bd member

Statement from John Lee Evans, San Diego Unified Trustee, District A

"Rose Canyon is next to our community's high school and a high speed train route would cause irreparable damage. Furthermore, we have three elementary schools and a middle school that take advantage of our beautiful natural park in Rose Canyon for real-life environmental studies. Our community cannot afford to lose this precious resource. As the University City representative to the San Diego Unified School Board, I urge the University Planning Group to actively oppose routing high speed trains through Rose Canyon. We can only teach our students to protect our natural environment if we are doing that ourselves."

-John Lee Evans, San Diego Unified School District Trustee

11/9/2009



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by **November 20, 2009** (return address is on the reverse side of this form).

Name (please print): MARGARET MCKNIGHT City: SAN DIEGO State: CA Zip: 92122
Organization/Business _____ E-mail: _____
Address: 3944 CAMINO CALMA

☒ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

ANY FURTHER DESTRUCTION OF THE NATURAL
ENVIRONMENT OF SOUTHERN CA, AT LEAST
THOSE AREAS CONTAINING A GREAT VARIETY
OF NATIVE PLANTS & ANIMALS (SUCH AS ROSE
CANYON) WOULD BE UNCONSCIENABLE (SP? @)
ISN'T THERE AN INTERNATIONAL MOVEMENT
TOWARD SAVING OUR PLANET BY PRESERVING
WILD AREAS? SURELY THAT IS THE WAY OF
THE FUTURE; THAT IS TRUE PROGRESS.

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**.

Fold and Tape Completely Before Mailing



Comment Form

CALIFORNIA HIGH-SPEED TRAIN SYSTEM
Los Angeles to San Diego via the Inland Empire Section

Thank you for attending today's meeting. The scoping process is designed to provide the public and governmental agencies the opportunity to help identify the scope of issues to be studied in depth during the preparation of the Environmental Impact Report/Environmental Impact Statement. Scoping allows the public to become involved at the beginning of the EIR/EIS process. Please take a few minutes to provide your comments. Please return comments to the California High-Speed Rail Authority by **November 20, 2009** (return address is on the reverse side of this form).

Name (please print): Pamela Colquhitt City: San Diego State: CA Zip: 92122
Organization/Business: Resident University City E-mail: pcolquitt@san.rr.com
Address: 7856 Camino Aguilera

☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

I would like to express my opinion regarding the HSR going through University City and Rose Canyon. How can it can be high speed with so many stops? I prefer the I-15 to Qualcomm Route. No tunneling under University City, and one stop at Qualcomm then Downtown S.D.

I would like to know who-what is backing this project in terms of San Diego City.

Rose Canyon is our only open-quiet space. The HSR would desecrate this space. Please consider the other alternatives and leave Rose Canyon as it is.

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Name (please print): Greg Hazelquist City: San Diego State: CA Zip: 92122
Organization/Business: resident/homeowner E-mail: gquist@pacbell.net
Address: 7154 Caminito Quintana

☒ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

As a resident and homeowner in La Jolla Colony, I am **STRONGLY OPPOSED** to any rail alignment through Rose Canyon. Additionally, I am opposed to a hub or transit station in the UTC community (which already has been overbuilt).

Rose Canyon is a local gem which affords tremendous recreational, scenic, & environmental resources. I have enjoyed and shared this resource for years with friends and family. A high speed rail line as currently proposed would destroy this resource.

Please consider alternatives. Rose Canyon should not be an option. I-15 seems a much more sensible solution.

Sincerely,
Greg Hazelquist & family

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**.

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Los Angeles to San Diego via the Inland Empire Section

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Name (please print): Nan Madden City: San Diego State: CA Zip: 92122
Organization/Business: Mission Bay Montessori E-mail: nmadden@mbmacademy.com
Address: 2640 Soderblom Ave. S.D. CA 92122

☒ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

I am the Director of Mission Bay Montessori Academy - a private school of 400+ children located in South UC surrounded by Rose Canyon. We revere Rose Canyon as an extension of our campus. We share the canyon with the native habitat and feel that more than 100 trains a day would ruin our chance to experience nature as we now do. I've lived in UC since before there was any development from the railroad tracks to UCSD. We are ~~severely~~ totally impacted with traffic now, running HSR through the canyon will totally destroy our feeling of community. The construction alone will devastate UC for many years to come. We are already a divided community running HSR through the middle with pit light walls will totally destroy any hope we have of continuing the Golden Pheasant as a

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**. *wonderful place to live.*

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Los Angeles to San Diego via the Inland Empire Section

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Name (please print): Ann Lopez City: SD State: CA Zip: 92122
Organization/Business _____ E-mail: _____
Address: _____

☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

University City Already has more than
its share of noise from the Miramar Base
aircrafts, congestion it doesn't need any
more disruptions, inconveniences added to
our community

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**.

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Name (please print): Ariane Jansma City: _____ State: _____ Zip: _____
Organization/Business _____ E-mail: _____
Address: _____

- ☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.
Comment (please write clearly):

I am so concerned about high speed rail going through Rose Canyon. I absolutely want the I-15 Qualcomm route thoroughly analyzed.

Make I-15 to Qualcomm the preferred route. It is completely ~~ridiculous~~ ridiculous to think that going through Rose Canyon or tunneling under homes will be a good idea.

Qualcomm will unite most of San Diego - will make access to east county, etc.

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**.

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Name (please print):

Collette Ingraham

City:

SD

State:

CA

Zip:

92122

Organization/Business

Resident, Community

E-mail:

clingraham@yahoo.com

Address:

7954 Camino Trancudo

SD

☐ Yes, I would like to be added to your mailing list to receive newsletters, information mailings and meeting notices.

Comment (please write clearly):

I'm very concerned about the impact of tunnels near the Rose Canyon Fault Line.

Please study the environmental impact to Rose Canyon and the entire U.C. community.

What about the dangers of running under the Miramar base?

How will tunnel affect homeowners?

Please do not have train go through University City and Rose Canyon.

Why not use I 15 corridor?

Please don't disrupt the UC High School with frequent trains?

Thank you for your participation in this important process. You may drop off your completed comment sheet in a comment box or with any High-Speed Train team member, mail, or send via e-mail with subject line "LA-SD HST Section via the Inland Empire" to comments@hsr.ca.gov. In addition, comments may also be submitted verbally to the court reporter today. All comments must be submitted no later than **November 20, 2009**.

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COMMENTS ON CALIFORNIA HIGH-SPEED TRAIN SYSTEM Los Angeles to San Diego via the Inland Empire Section

While I support High Speed Rail (HSR), I am opposed to the route via the UTC - Rose Canyon - I-5 route to the airport. I support the route via interstate I-15 to Mission Valley near Qualcomm Stadium with continued routing south along I-15. HSR's main function is high-speed long distance inter-city travel; it is not designed for intra-city transportation. Its route should be optimized by minimizing transit time by using the straightest route with a minimum number of stations. The Rose Canyon route, because of its many curves, is sub-optimal. To minimize transit time the I-15 route to Mission Valley is preferable. If needed, a station could be sited at I-15 near Miramar Road with access via a trolley along Miramar Road from UCSD and UTC. If HSR's economic viability is dependent on local commuters, it will fail.

It is proposed that the 160 mile trip from L.A. to San Diego be designed to take 118 minutes. This corresponds to an average speed of 81 mph, only 45% of its maximum design speed of 180 mph. At maximum speed this would take 53 minutes. How much of this increase in transit time is due to (i) the number of stations and (ii) forced reduction in speed due to route curvature? What is the time breakdown for these factors?

1. I-15 to Mission Valley: The main HSR station should be in Mission Valley. Land and parking is readily available at this location. The trolley can be used to access the airport. Using this location would reduce construction cost and have much less impact on local communities.

2. Local Transportation Network: San Diego lacks a functional local public transportation network. Therefore, siting a HSR station at UTC would only worsen the transportation gridlock in University City.

3. Improvements of existing coastal route: SANDAG requested \$377 million for needed improvements to the coastal railway between San Diego and San Clemente that is used by Amtrak, the Coaster and freight trains. The Governor stripped \$327 million from this request. This was a shortsighted move since this coastal route is an integral part of the local transportation network and would help feed passengers into the HSR system.

4. Noise Impact: High-speed trains generate significant noise. There have been complaints about noise both in Europe and China. Noise and vibration generated by HSR trains in Europe was measured (HMMH Report No. 293630-2). At 90 to 100 mph, the Sound Exposure Level (SEL) was 95 dBA. At 180 mph the SEL was 102 dBA. These measurements were done 100 feet from the roadbed. The frequency spectra had dominant frequencies from 30Hz to 4000 Hz. Significant ground vibration occurred with dominant frequencies between 16 Hz to 120 Hz. Sound barriers are ineffective in reducing low frequency noise (< 1000 Hz). The increase in Community Noise Equivalent Level (CNEL) due to the proposed 134 HSR trips is given by:
$$CNEL = 10 \cdot \log\{(d + 5e + 10n)10^{SEL/10} + 10^{(CNEL_0 + 49.4)/10}\} - 49.4$$
 where $CNEL_0$ is the value without HSR, and (d, e, n) is the number of day, evening, and night trips. For (114,

10,10) trips, 95 dBA SEL and 60 dBA CNEL₀, the CNEL is 70.2 dBA. This increase in CNEL of 10.2 dBA due to HSR is a significant increase in noise. Having more evening and nighttime trips would further increase the noise. This noise level would have a negative impact within the Rose Canyon – I-5 corridor.

5. Electromagnetic Interference: This is dependent on the frequency and amperage of the current. However, I could find no information regarding this. This needs to be investigated regarding potential interference with poorly shielded electronic equipment, sensitive equipment used by Qualcomm and other research institutions, and medical devices such as pacemakers and AICDs.

6. Earthquake Damage: Despite Rose canyon being an active fault line, it is proposed to locate the HSR route through Rose Canyon, including tunneling into the canyon. The argument that this is done in Japan by using a device to de-power the train when a tremor is detected is not an adequate reason to ignore this problem. Stopping a train during an earthquake while the train is in the middle of a tunnel 150 feet underground by a fault is a risk that should be avoided.

7. Tunnel ventilation system: Tunnels require an active ventilation system that has sufficient capacity to exchange enough air during a tunnel fire to protect passengers trapped in the tunnel from inhalation of smoke and fumes. Depending upon tunnel length, vertical ventilation shafts are placed along the length of the tunnel. These ventilation systems can be very noisy. The train acts as a piston causing air intake at the entrance and outflow at the exit. The moving train generates a compression wave in front and an expansion wave behind. These propagate at the speed of sound toward the exit and entrance. This results in a tunnel sonic boom at the exit, the intensity of which is dependent on train speed, tunnel length and cross-sectional area. Therefore, noise will be a problem at the entrance and exit of the tunnel, and at the ventilation shafts.

8. Use of Maglev technology: I suggest that Maglev technology be reconsidered. It is the technology of the future. Standard gauge HSR is used in Europe because HSR also uses existing track. Although Maglev construction costs are greater, it uses less energy per mile, has less maintenance costs, generates less noise, has greater speed, and accelerates and decelerates much faster thereby reducing transit time. This makes it more competitive with airlines.

I would like to see information on the minimum curve radius as a function of speed. Noise component at higher frequencies increases in sharp curves. Also, what is the distance and rate of deceleration into and acceleration out of stations?

Richard J. Prutow, Ph.D., M.D.
6076 Charae Street
San Diego, CA 92122
November 17, 2009
rprutow@yahoo.com